

FEDERAL REGISTER

THE NATIONAL ARCHIVES
OF THE UNITED STATES

1934

VOLUME 28 NUMBER 222

Washington, Thursday, November 14, 1963

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GUIDE TO RECORD RETENTION REQUIREMENTS

[Updated to January 1, 1963]

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Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, Government Printing Office, Washington D.C., 20402

FEDERAL REGISTER

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WOrth 3-3261

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Rules and Regulations

Title 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

Subpart—United States Standards for Radishes

APPLICATION OF TOLERANCES

On September 17, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 10168) regarding a proposed amendment of United States Standards for Radishes.

Statement of considerations leading to the amendment of the grade standards. The only change involved in the amendment of these grade standards is in the Application of Tolerances § 51.2400, to allow individual containers of one pound or less to have four times a tolerance, except that for a tolerance of less than ten percent at least two defective radishes are permitted.

Radish packers have experienced difficulty in grading radishes to be packed in small consumer size packages because of the container tolerance, which limits individual packages of one pound or less to double the tolerance, except that for a tolerance of less than ten percent at least one defective and one off-size radish may be permitted in any package.

With the exception of one dissenting comment from the industry, no opposition to the proposal to increase the individual container tolerance was registered. The comments indicated a general agreement that, from a practical grading standpoint, the amendment is necessary if U.S. Standards are to be used for this commodity which is primarily packed in small containers.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, § 51.2400 of the United States Standards for Radishes is hereby amended pursuant to the authority contained in the Agricultural Marketing Act of 1946 (sections 203, 205, 60 Stat. 1087, as amended, 1090 as amended; 7 U.S.C. 1622, 1624).

NOTE: Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug and Cosmetic Act or with applicable State Laws and regulations.

As amended § 51.2400 reads as follows:
§ 51.2400 Application of tolerances.

The contents of individual packages in the lot, based on sample inspection, are subject to the following limitations: *Provided*, That the averages for the entire

lot are within the tolerances specified for the grade:

(a) For a tolerance of 10 percent or more, individual packages in any lot may contain not more than one and one-half times the tolerance specified, except that when the package contains 1 pound or less, individual packages may contain not more than 4 times the tolerance specified; and,

(b) For a tolerance of less than 10 percent, individual packages in any lot may contain not more than double the tolerance specified: *Provided*, That when the package contains 1 pound or less, individual packages may contain not more than 4 times the tolerance specified, except that at least 2 defective specimens may be permitted in any package.

This amendment to the United States Standards for Radishes shall become effective on December 15, 1963.

Dated: November 7, 1963.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 63-11922; Filed, Nov. 13, 1963;
8:46 a.m.]

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

Subpart—United States Standards for Sweet Peppers

APPLICATION OF TOLERANCES

On September 17, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 10167) regarding a proposed amendment of United States Standards for Sweet Peppers.

Statement of considerations leading to the amendment of the grade standards. The only change involved in the amendment of these grade standards is in the Application of Tolerances § 51.3275, to allow individual containers of twenty peppers or less to have double any tolerance or at least one defective and one off-size pepper.

Packers have experienced difficulty in grading peppers to be packed in small consumer size packages because of the container tolerance, which limits individual packages, regardless of size, to one and one-half times a tolerance of ten percent or more, and double a tolerance of less than ten percent.

With the exception of one dissenting comment from the industry, no opposition to the proposal to increase the individual container tolerance was registered. The comments received generally recognized the necessity for the amendment if U.S. Standards are to be used for peppers when packed in small size containers.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, § 51.3275 of the United States Standards for Sweet Peppers is hereby amended pursuant to the authority contained in the Agricultural Marketing Act of 1946 (sections 203, 205, 60 Stat. 1087, as amended, 1090 as amended; 7 U.S.C. 1622, 1624).

NOTE: Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug and Cosmetic Act or with applicable State Laws and regulations.

As amended § 51.3275 reads as follows:

§ 51.3275 Application of tolerances.

The contents of individual packages in the lot, based on sample inspection, are subject to the following limitations: *Provided*, That the averages for the entire lot are within the tolerances specified for the grade:

(a) For packages which contain more than 20 peppers, and a tolerance of 10 percent or more is provided, individual packages in any lot shall have not more than one and one-half times the tolerance specified.

(b) For packages which contain more than 20 peppers and a tolerance of less than 10 percent is provided, and for packages which contain 20 peppers or less, individual packages in any lot shall have not more than double the tolerance specified, except that at least 1 defective and 1 off-size pepper may be permitted in any package.

This amendment to the United States Standards for Sweet Peppers shall become effective on December 15, 1963.

Dated: November 7, 1963.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 63-11923; Filed, Nov. 13, 1963;
8:46 a.m.]

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX; DISCONTINUANCE OF INSURANCE IN COUNTIES PREVIOUSLY DESIGNATED FOR COTTON CROP INSURANCE

Cotton and Greer Counties, Oklahoma, are hereby deleted from the list of counties published August 17, 1963, which were designated for cotton crop insurance for the 1964 crop year pursuant to the authority contained in § 401.1 of the above-identified regulations.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JOHN N. LUFT,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 63-11924; Filed, Nov. 13, 1963;
8:46 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX; DISCONTINUANCE OF INSURANCE IN A COUNTY PREVIOUSLY DESIGNATED FOR OAT CROP INSURANCE

Champaign County, Illinois, is hereby deleted from the list of counties published August 20, 1963, which were designated for oat crop insurance for the 1964 crop year pursuant to the authority contained in § 401.1 of the above-identified regulations.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JOHN N. LUFT,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 63-11925; Filed, Nov. 13, 1963;
8:46 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX; DISCONTINUANCE OF INSURANCE IN COUNTIES PREVIOUSLY DESIGNATED FOR WHEAT CROP INSURANCE

Fremont, Page and Pottawattamie Counties, Iowa, are hereby deleted from the list of counties published August 3, 1963, which were designated for wheat crop insurance for the 1964 crop year pursuant to the authority contained in § 401.1 of the above-identified regulations.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JOHN N. LUFT,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 63-11927; Filed, Nov. 13, 1963;
8:46 a.m.]

PART 403—PEACH CROP INSURANCE

Subpart—Regulations for the 1963 and Succeeding Crop Years

APPENDIX; DISCONTINUANCE OF INSURANCE IN A COUNTY PREVIOUSLY DESIGNATED FOR PEACH CROP INSURANCE

Orangeburg County, South Carolina, is hereby deleted from the list of counties published August 20, 1963, which were designated for peach crop insurance for the 1964 crop year pursuant to the authority contained in § 403.20 of the above-identified regulations.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JOHN N. LUFT,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 63-11926; Filed, Nov. 13, 1963;
8:46 a.m.]

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 729—PEANUTS

Subpart—1964 National Marketing Quota, National Acreage Allotment, and Apportionment of National Acreage Allotment to States

Sec.

729.1501 Basis and purpose.

729.1502 Proclamation of national marketing quota, normal yield per acre, and national acreage allotment for the crop of peanuts to be produced in 1964.

729.1503 Apportionment of the national acreage allotment to States.

AUTHORITY: §§ 729.1501 to 729.1503 issued under secs. 358, 375, 55 Stat. 88, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1358, 1375.

§ 729.1501 Basis and purpose.

(a) Subsection 358(a) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.), hereinafter referred to as the Act, provides that between July 1 and December 1 of each calendar year the Secretary of Agriculture shall proclaim a national marketing quota for the crop of peanuts to be produced in the next succeeding calendar year. The quota for such crop shall be a quantity of peanuts which will make available for marketing a supply equal to the average quantity of peanuts harvested for nuts during the immediately preceding five years, adjusted for current trends and prospective demand conditions. Subsection 358 (a) further provides that the national marketing quota may not be less than a quantity of peanuts sufficient to provide a national acreage allotment of not less than 1,610,000 acres.

(b) Except for the 1,610,000 acres minimum, the national marketing quota for the 1964 crop would be 737,000 tons and the national acreage allotment, computed by dividing the national quota by the normal yield per acre, then adjusting for underharvesting, would be 1,278,680 acres. In order to obtain the minimum national acreage allotment of 1,610,000 acres, the national marketing quota must be set at 1,066,625 tons. Subsection 358(a) also provides that the national marketing quota shall be converted to a national acreage allotment by dividing such quota by the normal yield per acre for the United States.

(c) Subsection 358(c) of the Act provides that the national acreage allotment less the acreage to be allotted to new farms under subsection 358(f), shall

be apportioned among the States on the basis of their share of the national acreage allotment for the most recent year in which such apportionment was made.

(d) Section 729.1502 of this proclamation establishes the national marketing quota, the normal yield per acre, and the national acreage allotment for the 1964 crop of peanuts. Section 729.1503 apportions the 1964 national acreage allotment among the several peanut-producing States. The determinations contained herein are based on the latest available statistics of the Federal Government.

(e) Public notice of the proposed determination of the 1964 national marketing quota, the national acreage allotment, and apportionment of such allotment among the States was given (28 F.R. 10216) in accordance with the Administrative Procedure Act (5 U.S.C. 1001 et seq.). This proclamation is made after due consideration of recommendations and views submitted in response to such notice. In order that State allotments may be made available for the orderly determination of farm allotments for 1964, it is essential that the provisions of this document be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date requirement of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest.

§ 729.1502 Proclamation of national marketing quota, normal yield per acre, and national acreage allotment for the crop of peanuts to be produced in 1964.

(a) *National marketing quota.* The amount of the national marketing quota for peanuts for the crop to be produced in the calendar year 1964 is 1,066,625 tons.

(b) *Normal yield per acre.* The normal yield per acre of peanuts for the United States is 1,325 pounds.

(c) *National acreage allotment.* The national acreage allotment for the crop to be produced in the calendar year 1964 is 1,610,000 acres.

§ 729.1503 Apportionment of the national acreage allotment to States.

The national peanut acreage allotment proclaimed in § 729.1502 is hereby apportioned as follows:

State:	1964 State acreage allotment
Alabama	217,867
Arizona	715
Arkansas	4,209
California	937
Florida	55,226
Georgia	527,709
Louisiana	1,958
Mississippi	7,538
Missouri	247
New Mexico	5,391
North Carolina	168,677
Oklahoma	138,418
South Carolina	13,874
Tennessee	3,610
Texas	356,565
Virginia	105,449

Total apportioned to States— 1,608,390
Reserve for new farms— 1,610

Total, United States— 1,610,000

Effective date: Effective upon filing with the Director, Office of the Federal Register.

Signed at Washington, D.C., on November 12, 1963.

CHARLES S. MURPHY,
Acting Secretary.

[F.R. Doc. 63-11996; Filed, Nov. 12, 1963;
12:55 p.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER E—DETERMINATION OF SUGAR COMMERCIALLY RECOVERABLE

[Sugar Determination 831.4, Amdt. 4;
Supp. 3]

PART 831—BEET SUGAR AREA

Rates of Recoverability, 1963 Crop

§ 831.10 Rates of recoverability: Finger Lakes Area of New York, 1963 crop.

The hundredweight of sugar, raw value, commercially recoverable from sugarbeets of the 1963 crop, produced in the Finger Lakes Area of New York and processed by the Michigan Sugar Company, shall be computed by multiplying the net weight of sugarbeets (in tons) marketed by the rate of commercially recoverable sugar computed for the Caro, Michigan settlement area of the Michigan Sugar Company for the 1963 crop. This rate is 2.762 hundredweight of sugar per net ton of sugarbeets.

Statement of bases and consideration. For the 1963 crop year, sugarbeets were planted on about 300 acres of test plots in the Finger Lakes Area of New York State to determine the suitability of the area for growing sugarbeets. The beets produced will be processed by the Michigan Sugar Company at their plant in Caro, Michigan.

Since there is no cossette test data available for the Finger Lakes Area and since individual factory tests will not be made on grower's beets this supplement provides that, for the 1963 crop, the rate of sugar commercially recoverable for the sugarbeets grown in the Finger Lakes Area and processed at the Michigan Sugar Company plant in Caro, Michigan, will be the same as that used for other sugarbeets of the 1963 crop processed at Caro, Michigan.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153, secs. 302, 303, 304, 61 Stat. 930, as amended, 931; 7 U.S.C. 1132, 1133, 1134)

Effective date: Date of publication.

Signed at Washington, D.C., on November 7, 1963.

CHAS. M. COX,
Acting Deputy Administrator,
State and County Operations.

NOVEMBER 7, 1963.

[F.R. Doc. 63-11963; Filed, Nov. 13, 1963;
8:47 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Tree Nuts), Department of Agriculture

PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

EXPENSES OF RAISIN ADMINISTRATIVE COMMITTEE FOR 1963-64 CROP YEAR AND RATE OF ASSESSMENT

Notice was published in the October 25, 1963, issue of the FEDERAL REGISTER (28 F.R. 11457) regarding proposed expenses of the Raisin Administrative Committee for the 1963-64 crop year and rate of assessment for that crop year, pursuant to §§ 989.79 and 989.80 of the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989), regulating the handling of raisins produced from grapes grown in California. The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice afforded interested persons an opportunity to submit written data, views, or arguments with respect to the proposal. None were received within the time prescribed therefor.

After consideration of all relevant matters presented, including those in the notice, the information and recommendations submitted by the Raisin Administrative Committee, and other available information, it is found that the expenses of the Raisin Administrative Committee and the rate of assessment for the crop year beginning September 1, 1963, shall be as follows:

§ 989.314 Expenses of the Raisin Administrative Committee and rate of assessment for the 1963-64 crop year.

(a) *Expenses.* Expenses (other than those specified in § 989.82) in the amount of \$106,400 are reasonable and likely to be incurred by the Raisin Administrative Committee during the crop year beginning September 1, 1963, for the maintenance and functioning of the Committee and the Raisin Advisory Board.

(b) *Rate of assessment.* The rate of assessment for such crop year which each handler is required, pursuant to § 989.80, to pay to the Raisin Administrative Committee as his pro rata share of the expenses is hereby fixed at 70 cents per ton for free tonnage raisins acquired by him during the crop year and for reserve tonnage raisins sold to him by the Committee pursuant to § 989.67 during the crop year.

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003(c)) in that: (1) The relevant provisions of said marketing agreement and order require that the rate of assessment fixed for a particular crop year which handlers are required to pay shall

be applicable to all free tonnage raisins acquired by him during that crop year and all reserve tonnage raisins sold to him by the Committee pursuant to § 989.67 during the crop year; and (2) the current crop year began on September 1, 1963, and the rate of assessment fixed herein will automatically apply to all such raisins beginning with that date.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: November 8, 1963.

FLOYD F. HEDLUND,
Director,
Fruit and Vegetable Division.

[F.R. Doc. 63-11960; Filed, Nov. 13, 1963;
8:47 a.m.]

PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Schedule of Payments

Notice was published in the October 22, 1963, issue of the FEDERAL REGISTER (28 F.R. 11280) regarding a proposal to amend the schedule of payments (Subpart—Schedule of Payments) by revising subparagraph (1) in § 989.401(a) so as to increase from \$6.00 per ton to \$6.25 per ton the payment to handlers for receiving, storing, and handling reserve and surplus tonnage raisins during the crop year of acquisition. The subpart is operative pursuant to the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989), regulating the handling of raisins produced from grapes grown in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice afforded interested persons an opportunity to submit written data, views, or arguments with respect to the proposal. None were received within the time prescribed therefor.

After consideration of all relevant matters presented, including those in the notice, the information and recommendation submitted by the Raisin Administrative Committee, and other available information, subparagraph (1) of § 989.401(a), effective pursuant to § 989.66(f), is hereby revised so as to recognize handlers' increased costs in the receiving, storing, and handling reserve and surplus tonnage raisins. As so revised, said subparagraph reads as follows:

(1) *Receiving, storing and handling.* Each handler shall, beginning with the crop year which began September 1, 1963, be compensated at the rate of \$6.25 per ton (natural condition weight at the time of acquisition) for receiving, storing, and handling reserve and surplus tonnage raisins acquired during a particular crop year and held by him for the account of the Raisin Administrative Committee during all or any part of the same crop year.

It is found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003(c)) in that: (1) The provisions of § 989.401 established pursuant to § 989.66(f), as herein amended, require, beginning with the crop year which began September 1, 1963, that each handler be paid at a specified rate per ton on all reserve and surplus tonnage raisins acquired by him during a particular crop year and held by him during all or any part of the same crop year; (2) the rate of payment fixed herein will automatically apply to all such raisins acquired by handlers during the current crop year beginning September 1, 1963; and (3) the revised schedule of payments should become applicable promptly to permit payment to handlers for services already, and those soon to be, performed by them with respect to reserve and surplus tonnage raisins acquired by them since September 1, 1963.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: November 8, 1963.

FLOYD F. HEDLUND,
Director,
Fruit and Vegetable Division.

[F.R. Doc. 63-11961; Filed, Nov. 13, 1963;
8:47 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 516—RECORDS TO BE KEPT BY EMPLOYERS

Overtime Employment

On August 1, 1963, a notice proposing amendments to 29 CFR Part 516 relating to record and pay provisions for overtime employment of retail or service establishment employees and others who are compensated on a commission basis was published in the FEDERAL REGISTER (28 F.R. 7850). Interested persons were invited to, and did, submit written data, views and argument. After considering all relevant data submitted, I hereby adopt the proposed amendments to 29 CFR Part 516 subject to the following change in subdivision (iv) of 29 CFR 516.28(b) (1).

This amendment, including the above change, shall become effective 30 days after the publication of this document in the FEDERAL REGISTER as required by section 4 of the Administrative Procedure Act (5 U.S.C. 204).

Signed at Washington, D.C., this 6th day of November 1963.

CLARENCE T. LUNDQUIST,
Administrator.

§ 516.21 Employees compensated for overtime hours at a "basic" rate which is substantially equivalent to the employee's average hourly earnings, in accordance with section 7(f)(3) of the act—items required.

With respect to each and every employee compensated for overtime hours

at a "basic" rate which is substantially equivalent to the employee's average hourly earnings, in accordance with section 7(f)(3) of the Act, employers shall maintain and preserve records containing all the information and data required by § 516.2 except paragraph (a)(6) thereof and, in addition thereto, the following:

(a) (1) The hourly rates, piece rates, or commission rates applicable to each type of work performed by the employee, (2) the computation establishing the basic rate at which the employee is compensated for overtime hours. If the employee is part of a work force or employed in or by an establishment all of whose workers have agreed to accept this method of compensation, a single entry of this computation will suffice, (3) the amount and nature of each payment which, pursuant to section 7(d) of the Act, is excluded from the "regular rate."

(b) (1) Identity of representative period for computing the basic rate, (2) the period during which the established basic rate is to be used for computing overtime compensation, (3) information which establishes that there is no significant difference between the pertinent terms, conditions and circumstances of employment in the period selected for the computation of the basic rate and those in the period for which the basic rate is used for computing overtime compensation, which could affect the representative character of the period from which the basic rate is derived,

(c) A copy of the written agreement or, if there is no such agreement, a memorandum summarizing the terms of the oral agreement or understanding to use this method of computation. If the employee is one of a group, all of whom have agreed to use this method of computation, a single memorandum will suffice.

(52 Stat. 1066, as amended; 29 U.S.C. 211)

§ 516.23 Employees of a retail or service establishment exempt from overtime pay requirements pursuant to section 7(h) of the Act.

With respect to employees of a retail or service establishment who are exempt from the overtime pay requirements pursuant to the provisions of section 7(h), employers shall maintain and preserve payroll and other records, with respect to each and every such employee, containing all the information and data required by § 516.2 except paragraphs (a)(6) through (a)(13), and in addition records which clearly indicate:

(a) (1) Identification of all employees paid pursuant to section 7(h), the work assignments and duties of each, together with notation of the time and nature of each change in such duties and assignments,

(2) A notation in the record showing the date when such employee has been notified that he is being paid pursuant to section 7(h) and of the identity of the representative period applicable to him,

(3) A designation of the period chosen as "representative" for each employee or group of employees similarly situated, or of a formula from which the period established for the particular workweek may be identified,

(4) Basis of compensation, such as salary plus commission, quota bonus, straight commission without advances, straight commission with advances, guarantees, or draws, and amount of compensation: For example, "\$50 weekly salary plus PMs and 1% commission computed quarterly", "\$60 weekly draw against 5% commission on all sales",

(b) (1) For each workweek:

(i) Total compensation paid to or on behalf of the employee for his employment,

(ii) The amount and nature of each payment which, pursuant to section 7(d) of the Act, is excluded from the "regular rate" (these records may be in the form of vouchers or other payment data),

(iii) Hours worked each workday and total hours worked each workweek,

(iv) Regular rate of pay: (As a substitute for this rate, and provided the employer makes the necessary computations when requested to do so by a representative of the Division, an identifying mark may be used to indicate that the rate exceeds the minimum required to qualify for the section 7(h) exemption, part one),

(v) Total amounts paid as a salary, hourly rate, daily rate, etc., and date of payment,

(vi) Total amounts paid as a guarantee, advance, or draw against commissions, and date of payment,

(vii) Total amounts computed as commission or other incentive payments, and date of payment,

(2) For each pay period: Total additions to or deductions from wages. Every employer making additions or deductions from wages shall also maintain, in individual employee accounts, a record of the dates, amounts and nature of the items which make up the total additions or deductions,

(3) For each representative period:

(i) Total compensation paid to or on behalf of the employee for his employment,

(ii) Total compensation paid which represents commissions on goods or services (excluding commissions computed for weeks in which compensation is not actually measured by commissions as set forth in § 779.419 of this chapter).

(52 Stat. 1066, as amended; 29 U.S.C. 211)

[F.R. Doc. 63-11918; Filed, Nov. 13, 1963;
8:46 a.m.]

Title 30—MINERAL RESOURCES

Chapter I—Bureau of Mines, Department of the Interior

SUBCHAPTER B—RESPIRATORY-PROTECTIVE APPARATUS; TESTS FOR PERMISSIBILITY; FEES

[Bureau of Mines Schedule 19B]

PART 12—SUPPLIED-AIR RESPIRATORS

Requirements for Investigation, Testing, and Approval

On pages 9533-35 of the FEDERAL REGISTER of August 30, 1963, there was published a notice and text of proposed

amendments to the regulations contained in §§ 12.2, 12.4, and 12.5 of Part 12, Title 30, Code of Federal Regulations, prescribing procedures for investigating, testing, and approving supplied-air respirators.

The purpose of the amendments is to:

- (1) Extend approval to pressure-demand, Type C supplied-air respirators;
- (2) increase the maximum allowable length of air hose for Type A supplied-air respirators from 150 to 300 feet; (3) permit the use of motor-operated as well as hand-operated blowers to furnish air for Type A supplied-air respirators; and
- (4) revise the fees to reflect increased costs of testing.

Interested persons were given 30 days after the date of publication within which to submit written comments, suggestions, or objections concerning the proposed amendments. Comment was received from only one source, suggesting that the wording in Table 1 be revised in the first item—Length of hose—under each of the headings Type A, Type B, and Type C. The suggestion is considered reasonable and valid. Accordingly, in each instance the words “* * * in multiples of 25-foot sections” are revised to read “* * * in multiples of 25 feet.”

Except for minor editorial corrections, no other change has been made in the text.

Because of the safety and health-protective aspects of the amendments, it is considered in the public interest to have these amendments become effective upon publication. Accordingly, the amendments to these regulations are hereby adopted as set forth below, effective upon publication in the FEDERAL REGISTER.

STEWART L. UDALL,
Secretary of the Interior.

NOVEMBER 6, 1963.

1. Paragraph (a) of § 12.2 is amended to read as follows:

§ 12.2 Types of supplied-air respirators.

(a) *Type A supplied-air respirator.*

(1) The Type A supplied-air respirator is commonly called a hose mask. This respirator is designed to require the presence of a man (safety man or blower operator) in addition to the wearer; to permit the wearer to inspire air through the hose, connections, and air-supply device (blower) by his lungs alone when the blower is not operated; and to permit the wearer to be drawn to safety by a life line, or, if necessary, the hose in case of accident. It is the only supplied-air respirator that will be approved for use in immediately harmful atmospheres or those from which the wearer could not escape without the aid of the respirator.

(2) The principal parts of a Type A supplied-air respirator are: A hand-operated or motor-driven blower that shall permit free entrance of air to the

hose when the blower is not operated; a strong, large-diameter hose having a low resistance to flow of air; a strong harness to which the hose and life line are attached; and a tight-fitting facepiece.

2. Subparagraph (2) of paragraph (c) of § 12.2 is amended to read as follows:

§ 12.2 Type C supplied-air respirator.

(c) * * *

(2) Type C supplied-air respirators are divided into three classes: (i) Continuous-flow, (ii) demand, and (iii) pressure-demand. Type C respirators of the continuous-flow class supply respirable air to the respiratory-inlet covering continuously, even when the wearer exhales. Type C respirators of the demand class supply respirable air to the respiratory-inlet covering only when the wearer inhales. Type C respirators of the pressure-demand class supply respirable air to the respiratory-inlet covering until a predetermined pressure is established in the respiratory-inlet covering and then supply additional respirable air when the wearer inhales.

3. Subparagraph (5) of paragraph (c) of § 12.2 is renumbered subparagraph (6) and a new subparagraph (5) is inserted to read as follows:

(5) The principal parts of a Type C supplied-air respirator, pressure-demand class, are: A positive pressure air-supply system; a hose; a detachable coupling; a pressure-demand valve; an arrangement for attaching the respirator to the wearer; and a tight-fitting respiratory-inlet covering that has provision for establishing a predetermined pressure in it. A maximum air pressure of 125 pounds per square inch gage is allowed at the point of attachment of the air-supply hose to the air-supply system.

4. Paragraph (c) of § 12.4 is amended to read as follows:

§ 12.4 Fees.

(c) * * *

1. Types A or AE supplied-air respirators (complete)-----	\$475
(i) Blower, single outlet-----	160
(ii) Each hand-operated blower outlet more than one (at time of blower testing)-----	20
(iii) Each motor-operated blower outlet more than one (at time of blower testing)-----	40
(iv) Air-supply line (hose)-----	190
(v) Body harness-----	35
(vi) Respiratory-inlet covering (facepiece)-----	130
2. Types B or BE supplied-air respirators (complete)-----	355
(i) Air-supply line (hose)-----	145
(ii) Body harness-----	35
(iii) Respiratory-inlet covering (facepiece)-----	130
3. Types C or CE supplied-air respirators, continuous-flow class (complete)-----	355
(i) Air-supply line (hose)-----	120
(ii) Respiratory-inlet covering (facepiece)-----	140

4. Types C or CE supplied-air respirators, demand class (complete)---	\$390
(i) Air-supply line (hose)-----	135
(ii) Respiratory-inlet covering (facepiece)-----	140
5. Types C or CE supplied-air respirators, pressure-demand class (complete)-----	410
(i) Air-supply line (hose)-----	135
(ii) Respiratory-inlet covering (facepiece)-----	160
6. Additional examination and tests of respirator in connection with other tests, per man-day required..	40
7. Fees for tests of unusually complicated apparatus, for unusual tests or tests not included in this list, or for tests required for extensions of approval will be based on the actual costs of testing, which will be determined in advance by the Bureau. The applicant will be notified accordingly, and the fee shall be paid before the tests are begun.	

NOTE: If a respirator fails to pass any of the required tests and the applicant notifies the Bureau to terminate further investigation or testing, the Bureau will return to the applicant any part of the fee not applied to its compensation for services. If the respirator is resubmitted for testing and approval after correcting the deficiencies, the additional fee will be determined in advance by the Bureau and the applicant will be notified accordingly. Such fee shall be paid before tests are begun.

5. Subparagraph (1) of paragraph (e) of § 12.5 is amended to read as follows:

§ 12.5 Requirements and tests for air-supply device.

(e) * * *

(1) *Type A supplied-air respirator (hose mask).*

(i) Each Type A supplied-air respirator shall be provided with a hand-operated or motor-driven air blower. No multiple system, whereby more than one user is supplied by one blower, will be approved unless each hose line is connected directly to a manifold at the blower. The blower shall permit free entrance of air to the hose when the blower is not operated, and it shall deliver the amount of air hereinafter specified with either direction of rotation, except when the construction of the blower is such that it cannot be operated in other than a specific direction for delivering the required amount of air.

(ii) A hand-operated blower will be tested by attaching it to a mechanical drive and operating it continuously 6 to 8 hours daily for a total of 100 hours at the speed required to deliver 50 liters of air per minute through each respirator, when assembled with the kind and maximum length of hose for which the device is to be approved, connected to each blower or manifold outlet designed for hose connections. The blower shall operate throughout the period without failure or indication of excessive wear of bearings or other working parts. The crank speed of a hand-operated blower shall not exceed 50 revolutions per minute to deliver the required 50 liters of

air per minute to each facepiece. For a hand-operated blower the power required to deliver 50 liters of air per minute to each wearer through the maximum length of hose shall not exceed one-fiftieth horsepower, and the torque shall not exceed a force of 5 pounds on an 8-inch crank. The torque and power shall be measured as hereinafter provided.

(iii) A motor-operated blower shall be tested by operating it continuously at its specified running speed 6 to 8 hours daily for a total of 100 hours when assembled with the kind and maximum length of hose for which the device is to be approved and when connected to each blower or manifold outlet designed for hose connections. The blower shall operate throughout the period without failure or indication of excessive wear of bearings or other working parts. The connection between the motor and the blower shall be so constructed that the motor is disengaged automatically from the blower when the blower is operated by hand.

(iv) When a blower, which ordinarily is motor driven, is operated by hand, the power required to deliver 50 liters of air per minute to each wearer through the maximum length of hose shall not exceed one-fiftieth horsepower, and the torque shall not exceed a force of 5 pounds on an 8-inch crank. The torque and power shall be measured as hereinafter provided.

(v) When assembled with the facepiece and 50 feet of the hose for which it is to be approved and when connected to one outlet, with all other outlets closed, and operated at a speed not exceeding 50 revolutions of the crank per minute, the amount of air delivered into the respiratory-inlet covering shall not exceed 150 liters per minute.

(a) *Method of measuring power and torque required to operate blowers.* (1) As shown in figure 1, the blower crank is replaced by a wooden drum, *a* (5 inches in diameter is convenient). This drum is wound with about 40 feet of No. 2 picture cord, *b*. A weight, *c*, of sufficient mass to rotate the blower at the desired speed is suspended from this wire cord. A mark is made on the cord about 10 to 15 feet from the weight, *c*. Another mark is placed at a measured distance (20 to 30 feet is convenient) from the first. These are used to facilitate timing.

(2) To determine the torque or horsepower required to operate the blower, the drum is started in rotation manually at or slightly above the speed at which the power measurement is to be made. The blower is then permitted to assume constant speed, and then as the first mark on the wire leaves the drum a stopwatch is started. The watch is stopped when the second mark leaves the drum. From these data the foot-pounds per minute and the torque may be calculated readily.

6. The heading only of subparagraph (4) of paragraph (e) of § 12.5 is amended to read as follows: "(4) *Type C supplied-air respirators, demand and pressure-demand classes.*"

7. Table 1—"AIR-SUPPLY-LINE REQUIREMENTS AND TESTS," referred to in paragraph (f) of § 12.5, is amended to read as follows:

TABLE 1—AIR-SUPPLY-LINE REQUIREMENTS AND TESTS

Specific requirements	Requirements for the air-supply lines of the indicated types of supplied-air respirators		
	Type A	Type B	Type C
Length of hose...	Maximum of 300 feet, in multiples of 25 feet.	Maximum of 75 feet, in multiples of 25 feet.	Maximum of 250 feet in multiples of 25 feet. It will be permissible for the applicant to supply hose of the approved type of shorter length than 25 feet provided it meets the requirements of this part.
Air flow.....	None.....	None.....	The air-supply hose with air-regulating valve or orifice shall permit a flow of not less than 115 liters (4 cubic feet) per minute to tight-fitting and 170 liters (6 cubic feet) per minute to loose-fitting respiratory-inlet coverings, through the maximum length of hose for which Bureau approval is issued and at the minimum specified air-supply pressure. The maximum flow shall not exceed 566 liters (20 cubic feet) per minute at the maximum specified air-supply pressure, with the minimum length of hose which is approved. The air-supply hose, detachable coupling, and demand valve of the demand class, or pressure-demand valve of the pressure-demand class, Type C supplied-air respirator, shall be capable of delivering respirable air at a rate of not less than 115 liters (4 cubic feet) of air per minute to the respiratory-inlet covering at an inhalation resistance not exceeding 50 mm (2 inches) of water-column height measured at the respiratory-inlet covering with any combination of air-supply pressure and length of hose within the applicant's specified range of pressure and hose length. The air-flow rate and resistance to inhalation shall be measured while the demand or pressure-demand valve is actuated 20 times per minute by a source of intermittent suction. The maximum rate of flow to the respiratory-inlet covering shall not exceed 566 liters (20 cubic feet) of air per minute under the specified operating conditions.
Air-regulating valve	None.....	None.....	If an air-regulating valve is provided, it shall be so designed that it will remain at a specific adjustment, which will not be affected by ordinary movement of the wearer. The friction developed between the packing and a valve stem will not be considered as meeting this requirement. The valve shall be so constructed that the air supply with the maximum length of hose and minimum specified air-supply pressure will not be less than 2 cubic feet per minute for any adjustment of the valve. The demand or pressure-demand valve replaces the air-regulating valve. It shall be connected to the air supply at the maximum requested air pressure by means of the minimum requested length of air-supply hose. The outlet of the demand or pressure-demand valve shall be connected to a source of intermittent suction so that the demand or pressure-demand valve is actuated approximately 20 times per minute for a total of 100,000 inhalations. To expedite this test, the rate of actuation may be increased if mutually agreeable to the applicant and the Bureau. During this test the valve shall function without failure and without excessive wear of the moving parts. The demand or pressure-demand valve shall not be damaged in any way when subjected at the outlet to a pressure or suction of 10 inches of water gage for 2 minutes.
Noncollapsibility.	The hose shall not collapse or exhibit permanent deformation when a force of 200 pounds is applied for 5 minutes between 2 planes 3 inches wide on opposite sides of the hose.	Same as for type A.	None.
Nonkinkability..	None.....	None.....	A 25-foot section of the hose will be placed on a horizontal-plane surface and shaped into a one-loop coil with one end of the hose connected to an airflow meter and the other end of the hose supplied with air at the minimum specified supply pressure. The connection shall be in the plane of the loop. The other end of the hose will be pulled tangentially to the loop and in the plane of the loop until the hose straightens. To meet the requirements of this test the loop shall maintain a uniform near-circular shape and ultimately unfold as a spiral, without any localized deformation that decreases the flow of air to less than 90 percent of the flow when the hose is tested while remaining in a straight line.
Strength of hose and couplings.	Hose and couplings shall not separate or otherwise fail when tested with a pull of 250 pounds for 5 minutes.	Same as for type A.	Hose and couplings shall not exhibit any separation or failure when tested with a pull of 100 pounds for 5 minutes and when tested by subjecting them to an internal air pressure of 2 times the maximum respirator-supply pressure that is specified by the applicant or at 25 pounds per square inch gage, whichever is higher.

TABLE 1—AIR-SUPPLY-LINE REQUIREMENTS AND TESTS—Continued

Specific requirements	Requirements for the air-supply lines of the indicated types of supplied-air respirators		
	Type A	Type B	Type C
Tightness	No air leakage shall occur when the hose and couplings are joined and the joint(s) are immersed in water and subjected to an internal air pressure of 5 pounds per square inch gage.	None	Leakage of air exceeding 50 cc. per minute at each coupling shall not be permitted when the hose and couplings are joined and are immersed in water, with air flowing through the respirator under a pressure of 25 pounds per square inch gage, applied to the inlet end of the air-supply hose, or at twice the maximum respirator-supply pressure that is specified by the applicant, whichever is higher.
Permeation of hose by gasoline.	The permeation of the hose by gasoline will be tested by immersing 25 feet of hose and one coupling in gasoline, with air flowing through the hose at the rate of 8 liters per minute for 6 hours. The air from the hose shall not contain more than 0.01 percent by volume of gasoline vapor at the end of the test.	Same as for type A.	Same as for type A, except the test period shall be 1 hour.
Detachable coupling.	None	None	A hand-operated detachable coupling by which the wearer can readily attach or detach the connecting hose shall be provided at a convenient location. This coupling shall be durable, remain connected under all conditions of normal respirator use, and meet the prescribed tests for strength and tightness of hose and couplings.

8. The heading only of subparagraph (6) of paragraph (i) of § 12.5 is amended to read as follows: "(6) *Type C supplied-air respirator, demand and pressure-demand classes.*"

9. Subdivision (i) (a) of subparagraph (1) of paragraph (j) of § 12.5 is amended to read as follows:

§ 12.5 Requirements and tests for complete respirator.

(j) * * *

(1) *Resistance to air flow*—(i) *Types A and AE supplied-air respirators.* (a) The resistance to air flow shall be determined when these respirators are completely assembled with the respiratory-inlet covering, the air-supply device, and the maximum length of air-supply hose coiled for one-half its length in loops 5 to 7 feet in diameter. The resistance to air flow shall not exceed the following amounts to air flowing at the rate of 85 liters (3 cubic feet) per minute when the blower is not operating or under any practical condition of blower operation:

Maximum length of hose for which respirator is approved, feet	Maximum resistance, inches of water column height
75	1.5
150	2.5
250	3.5
300	4.0

Resistance of the exhalation valve shall not exceed 25 mm (1 inch) of water column height at this flow rate.

10. A new subdivision (v) of subparagraph (1) of paragraph (j) of § 12.5 is added to read as follows:

(v) *Type C supplied-air respirator, pressure-demand class.* The static pressure in the facepiece shall not exceed 38 mm (1.5 inches) of water-column height. The pressure in the facepiece shall not fall below atmospheric at inhalation flows not exceeding 115 liters (4 cubic feet) per minute. The resistance of the facepiece-exhalation valve

to a flow of air at a rate of 85 liters (3 cubic feet) per minute shall not exceed the static pressure in the facepiece by more than 50 mm (2 inches) of water-column height.

11. The heading only of subdivision (iv) of subparagraph (2) of paragraph (j) of § 12.5 is amended to read as follows: "(iv) *Type C supplied-air respirator, demand and pressure-demand classes.*"

12. Subdivision (iv) of subparagraph (3) of paragraph (j) of § 12.5 is amended to read as follows:

(iv) *Type C supplied-air respirator, demand and pressure-demand classes.* No specific test will be made to determine the protection against particulate matter afforded by the demand and pressure-demand classes of Type C supplied-air respirators. However, two men shall wear the respirator at both extremes of the specified ranges of air pressure and hose length, while performing the required schedule of exercise, to appraise the comfort and practicability of the respirator.

[F.R. Doc. 63-11913; Filed, Nov. 13, 1963; 8:46 a.m.]

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER R—IRRIGATION PROJECTS

PART 199—UINTAH IRRIGATION PROJECT, UTAH

There was published in the FEDERAL REGISTER on July 31, 1963 (28 F.R. 7784-7785) a notice to amend Part 199 of Title 25 of the Code of Federal Regulations dealing with regulations governing the management of the Uintah Indian Irrigation Project, Utah. The purpose of the amendment is to eliminate provisions no longer applicable, change the regula-

tions to conform to present Bureau organization and operations and add a new § 199.23 providing for carriage agreements.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendment. No comments, suggestions, or objections have been received and the proposed amendment and new section are hereby adopted without change and are set forth below. This amendment shall become effective at the beginning of the 30th calendar day following the date of the publication in the FEDERAL REGISTER.

STEWART L. UDALL,
Secretary of the Interior.

NOVEMBER 6, 1963.

Part 199 of Title 25 of the Code of Federal Regulations is revised to read as follows:

Sec.

- 199.1 Organization.
- 199.2 Irrigation season.
- 199.3 Domestic and stock water.
- 199.4 Farm units defined.
- 199.5 Delivery point.
- 199.6 Method of delivery.
- 199.7 Delivery to lands under the Duchesne River.
- 199.8 Division of water.
- 199.9 Lands under Duchesne River not subject to water division.
- 199.10 Waste water.
- 199.11 Construction of waste water ditches.
- 199.12 Water may be shut off if wasted.
- 199.13 Structures.
- 199.14 Head or service ditches.
- 199.15 Right-of-way.
- 199.16 Obstructions and their removal.
- 199.17 Fencing.
- 199.18 Assessments.
- 199.19 Place of payment of assessments.
- 199.20 Interference with project operation.
- 199.21 Crop and statistical report.
- 199.22 Complaints.
- 199.23 Carriage agreements.

AUTHORITY: §§ 199.1 to 199.23 issued under secs. 1, 3, 36 Stat. 270, 272, as amended; 25 U.S.C. 385.

CROSS REFERENCE: For rights-of-way for the construction of irrigation projects, Uintah Reservation, Utah, see Part 161 of this chapter.

§ 199.1 Organization.

The Uintah project is under the charge of the Superintendent, Uintah and Ouray Agency, acting through the project engineer, who is fully authorized to administer, carry out and enforce the rules and regulations in this part, either directly or through project employees delegated by him, such as watermasters, ditchriders, foremen and other assistants. The project engineer or his representative is fully authorized to refuse or discontinue delivery of water to any person who willfully disregards the rules and regulations in this part.

§ 199.2 Irrigation season.

Water will be turned into the canals and laterals on March 1 for irrigation purposes and discontinued on November 1. The time when water will be turned into the canals and laterals may be postponed for 15 days and the time for discontinuing the flow may be advanced 15 days, depending upon weather condi-

tions and the amount of maintenance work to be done.

§ 199.3 Domestic and stock water.

Irrigation projects are primarily built and maintained for serving land with water for the irrigation of crops during the growing season and not for supplying domestic and stock water during the winter months or non-irrigation season. Domestic and stock water will be carried in the project canals before and after the irrigation season only when such practice will not be detrimental to the canal system. Domestic or stock water will not be carried in project canals when such use of the canals will interfere with maintenance work necessary in preparing the canals and laterals for the next irrigation season.

§ 199.4 Farm units defined.

For the purpose of the rules and regulations in this part and the delivery of water, a farm unit on the Uintah project shall consist of:

(a) Forty or more contiguous acres of land in single ownership.

(b) Forty or more contiguous acres of Indian-owned land under lease to the same person or being farmed by the same Indian.

(c) A minimum of 40 contiguous acres of land in multiple ownership provided that such contiguous 40 acres shall be within the same 40-acre subdivision of the United States public land surveys.

§ 199.5 Delivery point.

Water will be delivered by the project to one point on the upper boundary of each farm unit on the project, and the project shall maintain the lateral system to said delivery point: *Provided, however,* That where, under the system as at present constructed, there has been established a point of delivery for a farm unit, no further extensions to the project lateral system will be made by the project, even though such farm unit be subdivided into tracts of 40 acres or more under the same or different ownership. Any additional laterals necessary to deliver water to such subdivided tracts of said farm units as originally established shall be constructed by the landowner, at his expense, so as to receive water from the delivery point as originally established for said farm unit, and said lateral or laterals shall be thereafter, at all times, maintained and operated by the owner or owners benefited. In special cases where from a cost or topographic standpoint it is impracticable for the landowner or lessee to irrigate the entire irrigable area of his tract from one delivery point, the project engineer is authorized to establish additional delivery points but in no instance shall more than one delivery point be established and maintained when the landowner or lessee can at a reasonable expense provide for delivery by the construction of suitable head ditches.

§ 199.6 Method of delivery.

Water for irrigation purposes will be delivered through the irrigation season for the lands under the Lakefork, Uintah, and Whiterocks Rivers by the rotation method. Rotation schedules for the

lands under the canals diverting from these rivers will be prepared under the direction of the project engineer and will be put into effect each season as soon as it is determined what acreage is to be irrigated. A written copy of the water schedule will be delivered to each water user showing the time that his turn starts on each particular tract and the duration of such turn.

§ 199.7 Delivery to lands under the Duchesne River.

Water will be delivered to all lands under the Duchesne River upon demand until such time as the project engineer deems it advisable to adopt the rotation method of delivery. In the event the rotation method is adopted under the canals diverting from this river the same procedure will be followed that is used under the Lakefork, Uintah, and Whiterocks Rivers: Provided, That the project engineer shall first give reasonable notice, in advance, to all users to be affected by adoption of same.

§ 199.8 Division of water.

Water will be delivered to all lands under the Lakefork, Uintah and Whiterocks Rivers in accordance with the provisions of the decrees of the Federal court in the cases of United States v. Dry Gulch Irrigation Company, et al.¹ and United States v. Cedarview Irrigation Company, et al.,¹ which decrees fix the maximum duty of 3 acre-feet per acre for the period from March 1 to November 1 of each year. The division of water in all cases shall be made or authorized by a watermaster or ditch-rider; and any person who in any manner interferes with the flow of water within or from the project canal, or who opens, closes or in any manner changes the position of a headgate in a project canal or lateral without specific authority to do so, will be liable to prosecution. The cutting of a canal or lateral bank for the purpose of diverting water from the canal and the placing of obstruction in a canal or lateral for the purpose of increasing or decreasing the amount of flow through a project canal headgate will be considered a violation of this section. The rate of delivery will be substantially in accordance with the following schedule, which schedule is subject to modification by the project engineer at such time as changed climatic and water supply conditions might prove that such modification would be beneficial to the projects:

Period	Acres per second-foot	Acre-feet per acre
Mar. 1-18.....	None	None
Mar. 19-31.....	1,000	0.023
Apr. 1-10.....	800	.025
Apr. 11-20.....	400	.050
Apr. 21-30.....	200	.099
May 1-10.....	180	.110
May 11-20.....	135	.147
May 21-31.....	95	.229
June 1-20.....	70	.506
June 21-30.....	85	.233
July 1-10.....	90	.220
July 11-20.....	95	.208
July 21-31.....	100	.218
Aug. 1-10.....	133	.147
Aug. 11-20.....	155	.128
Aug. 21-31.....	175	.124

¹ Unreported case.

Period	Acres per second-foot	Acre-feet per acre
Sept. 1-10.....	195	0.101
Sept. 11-30.....	220	.180
Oct. 1-10.....	220	.090
Oct. 11-20.....	300	.096
Oct. 21-31.....	600	.096
		3.000

§ 199.9 Lands under Duchesne River not subject to water division.

The lands deriving water from the Duchesne River will not be subject to the above water duty as long as there is an ample water supply in the Duchesne River. These lands, however, may be reduced to the above water duty at any time that the Duchesne River fails to supply more water than is included in § 199.8.

§ 199.10 Waste water.

Wasting of water will subject users to regulatory action. Water users will be required to construct and maintain in good order and repair such ditches as may be necessary to catch and conduct to some waste canal, ditch or channel all waste water flowing from their lands. Waste water may be emptied into project canals, laterals and drain ditches at such points only as have been designated for that purpose by the project engineer.

§ 199.11 Construction of waste water ditches.

No waste water ditches shall be constructed upon the right-of-way of any project canal or lateral except where the same crosses or intersects said canal or lateral. Any such crossing or intersection shall be designated by the project engineer and the necessary works shall be constructed in accordance with his instructions.

§ 199.12 Water may be shut off if wasted.

The project management shall have the right to shut off summarily water from any lands where water is being unnecessarily wasted or where the provisions of this section are being violated by the owners of such land or by any person who may be in charge of such land under authority of the owner.

§ 199.13 Structures.

(a) All necessary headgates, checks, drops, turnouts, flumes and measuring devices will be installed and maintained by the project. Any person or corporation desiring to build a bridge or other structures over, under, in or across a project canal, lateral or drainage ditch, shall first obtain from the project engineer a written permit to build such structures, which permit shall stipulate that it is granted, and accepted by the permittee, on the condition that the repair and maintenance of the structures shall be the duty of the permittee, or his successors, without cost to the project. The permit shall further provide that if any such structure be not regularly used for a period of one year or more the project engineer may notify the person responsible for its maintenance to remove it within a period of 90 days; and that if the structure is not removed

within the time allowed, it may thereafter be removed by the project engineer, the cost of such removal to be paid by the party responsible for the maintenance of the structure.

(b) Where a new irrigation project is installed, or an existing project is extended to an area without existing roads, and the construction of roads, bridges or culverts becomes necessary, the project engineer shall investigate the possibility of liquidating all or part of the cost of such construction by securing funds from any governmental agency providing funds for such purposes, and he is authorized to negotiate, subject to the approval of the Commissioner of Indian Affairs, any necessary agreement with such governmental agency.

(c) All persons or corporations are warned against the violation of this section.

§ 199.14 Head or service ditches.

The head or service ditches are those ditches to which delivery of water is made by the ditchrider or watermaster from canals or laterals operated and maintained by the project. Such ditches which have been or may be placed upon the project right-of-way are considered an encroachment, and are subject to regulation contained in § 199.15. The watermaster and ditchriders are authorized to refuse delivery of water to ditches that are not in proper condition to receive and convey it to the place of use with a minimum loss.

§ 199.15 Right-of-way.

For use in the necessary activities and emergencies incident to the operation and maintenance of the irrigation system, there is reserved for a right-of-way along all canals, laterals, sublaterals and drains, in addition to the land actually occupied by such channels and their embankments, measured from the outside limits of the embankments or channel, a strip of land of sufficient width on each side of said canals, laterals, sublaterals and drains to permit the operation of maintenance equipment, making repairs and improvements, and travel by the project ditchriders.

§ 199.16 Obstructions and their removal.

No trees, buildings, hay or straw stacks, or other obstructions are to be placed upon said reserved right-of-way by any adjacent landowners or others. Any trees, buildings, hay or straw stacks, or other obstructions of any kind whatsoever, located upon said right-of-way may be ordered removed by the project engineer, and if not removed by the person or persons placing them thereon they shall be removed under the supervision of the project engineer at his discretion, and the cost of such removal shall be added to the cost of operation and maintenance for the particular tract of land under the project belonging to the persons so placing or causing such obstructions to be placed thereon.

§ 199.17 Fencing.

No fences shall be placed within the right-of-way excepting those crossing a

canal or lateral, and in such cases a gate of approved type shall be installed and maintained by the property owner, on each side of the canal or lateral, of sufficient width to permit the operation of maintenance equipment and travel on the banks of the canal or lateral by the ditchrider. The gate must be provided with some approved convenient type of fastening which will permit the ditchrider to open and close it with a minimum loss of time. Any wire or timbers used in fencing across a canal or lateral shall not be lower than 12 inches above the maximum high water surface.

§ 199.18 Assessments.

Bills for the yearly assessment of construction and operation and maintenance charges will be issued each year to the record owner or lessee of the land within the project. The annual per-acre charge for operation and maintenance shall be levied against the entire irrigable area of each farm unit or allotment to which irrigation water can be delivered from present constructed works. Charges shall become due and payable in accordance with the order fixing operation and maintenance charges issued annually by the Secretary of the Interior. The provision of the order regarding refusal of delivery of water in case of delinquency shall be enforced. An additional operation and maintenance charge may be made if water is delivered by the project to tracts of less than 40 acres in area. The amount of this additional charge, if any, will be stated in the order fixing operation and maintenance charges.

CROSS REFERENCES: For regulations pertaining to construction costs, see Part 211 of this chapter. For orders fixing operation and maintenance charges, see §§ 221.77-221.81 of this chapter.

§ 199.19 Place of payment of assessments.

The assessments against all lands are to be paid at the Uintah and Ouray Agency Office, Fort Duchesne, Utah.

§ 199.20 Interference with project operation.

No persons other than those specifically designated by the project engineer are authorized to regulate project structures or to interfere in any way with project-operated canals or any works appurtenant thereto or to the water flowing therein.

§ 199.21 Crop and statistical report.

A crop and statistical report on forms furnished for that purpose will be taken each year by the ditchrider or some person authorized to do so. This report will show the number of acres devoted to each crop, total yield and value of crops for each unit of the project and for the entire project.

§ 199.22 Complaints.

All complaints must be made in writing to the superintendent. In case of dispute regarding application of rules and regulations and decisions of the superintendent made pursuant thereto, appeal may be made to the Area Direc-

tor, Phoenix, Arizona who will settle the dispute or refer it to the Commissioner of Indian Affairs whose decision will be final.

§ 199.23 Carriage agreements.

The superintendent is vested with authority to enter into permanent carriage agreements with non-project water users to convey non-project water through project facilities for delivery to non-project lands. The superintendent is also vested with authority to enter into permanent carriage agreements with private irrigation and ditch companies for the conveyance of water through non-project facilities for delivery to isolated tracts of Indian land that cannot be served from project facilities.

[F.R. Doc. 63-11909; Filed, Nov. 13, 1963; 8:45 a.m.]

SUBCHAPTER T—OPERATION AND MAINTENANCE

PART 221—OPERATION AND MAINTENANCE CHARGES

Uintah Indian Irrigation Project, Utah

There was published in the FEDERAL REGISTER on July 31, 1963 (28 F.R. 7786), a notice to amend §§ 221.77, 221.77b, 221.78, 221.79, 221.80 and 221.81 of 25 CFR 221, which deals with the operation and maintenance of the Uintah Indian Irrigation Project, Utah. The purpose of the amendment is to revoke § 221.77b which is no longer applicable and to delete from other sections all reference thereto.

Interested persons were given 30 days within which to submit written comments, suggestions, or objection with respect to the proposed amendment. No comments, suggestions, or objections have been received and the proposed amendment is hereby adopted without change and is set forth below. This amendment shall become effective at the beginning of the 30th calendar day following the date of this publication in the FEDERAL REGISTER.

STEWART L. UDALL,
Secretary of the Interior.

NOVEMBER 6, 1963.

1. Sections 221.77, 221.78, 221.79, 221.80 and 221.81 of Part 221, which are grouped under the center head Uintah Indian Irrigation Project, Utah, are amended to read as follows:

Sec.
221.77 Basic water charges
221.78 Payment
221.79 Delivery to fee owners
221.80 Delivery to Indian owners
221.81 Delivery to lessees

AUTHORITY: §§ 221.1 to 221.142 issued under secs. 1, 3, 36 Stat. 270, 272, as amended; 25 U.S.C. 385.

§ 221.77 Basic water charges.

Pursuant to the provisions of the Acts of June 21, 1906 (34 Stat. 375), and March 7, 1928 (45 Stat. 210, 25 U.S.C. 387), the reimbursable costs expended in the operation and maintenance of the Uintah Indian Irrigation Project, Utah,

are apportioned on a per-acre basis against the irrigable lands of all units of the project, and for the calendar year 1960 and each succeeding year until further order, there shall be collected for each acre of irrigable land to which water can be delivered from the constructed works, a uniform basic charge of \$3.00 per acre per annum, where not otherwise established by contract. No bill shall be rendered for less than \$4.00.

CROSS REFERENCE: For method of assessment of operation and maintenance charges, see § 199.18 of this chapter.

§ 221.78 Payment.

(a) The assessments fixed in § 221.77 of this part shall become due on April 1 of each year, and are payable on or before that date.

(b) No delivery of water shall be made to land until the assessment has been paid in full. Assessments remaining unpaid on October 1, following the due date, shall be subject to a penalty of one-half of 1 percent per month, or fraction thereof, from the due date until paid.

(c) No water shall be delivered to land under lease to non-Indians until the superintendent of the reservation certifies to the project engineer that the lessee has fully complied with the lease contract relative to the payment of the operation and maintenance assessment.

(d) Indian water users who are financially unable to pay the assessment on the due date may be furnished water provided the superintendent of the reservation certifies to the project engineer that such Indian is not financially able to pay his assessment. Under such condition the assessment shall be entered on the accounts as a lien against the land, without penalty.

§ 221.79 Delivery to fee owners.

No water shall be delivered to patent in fee landowners, until at least 50 percent of charges assessed in § 221.77 of this Part 221 is paid, and water delivery shall not be continued after July 1 unless the total charges shall have been paid.

§ 221.80 Delivery to Indian farmers.

No water will be delivered to Indians farming their own land, until the superintendent of the reservation shall have issued a certificate to the project engineer certifying that the Indian has paid or will pay such charges through the superintendent or that such Indian is financially unable to pay the charges.

§ 221.81 Delivery to lessees.

No water will be delivered to a lessee of Indian trust patent land, until the superintendent of the reservation shall have furnished the project engineer with a certificate stating that the lessee has

fully complied with the terms of the lease relative to the payment of the annual operation and maintenance charges.

§ 221.77b [Revoked]

2. Section 221.77b is revoked.

[F.R. Doc. 63-11910; Filed, Nov. 13, 1963; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

PART 2—RECORDS AND TESTIMONY

Availability of Official Records

The purpose of this amendment is to conform the regulations with the organization titles of Administrative Management Order No. 5.

Since these amendments are made because of a change in the internal organization of the Department, notice and public procedure thereon are deemed unnecessary and the amendments shall become effective upon publication in the FEDERAL REGISTER.

The present text of § 2.4 is amended to read as follows:

§ 2.4 Charges; general rules.

(a) The Director of Management Operations of the Department shall establish charges, or prescribe the method of computing charges, to be collected by all bureaus and offices for furnishing copies of official records, except as otherwise provided in this section. Such charges shall be equal to the cost of producing the copies plus the cost of administrative services involved in handling the records for such purposes.

(i) The authority of the Director of Management Operations to establish charges under paragraph (a) of this section does not extend to the establishment of fees or charges for copies of records pertaining to the enrollment of members of the Five Civilized Tribes, as authorized by section 9 of the act of April 26, 1906 (34 Stat. 136); or for copies of aerial or other photographs and mosaics sold by the Geological Survey; or with the exception of the charges for transcripts or copies of official records furnished by the managers of the land offices or the land and survey offices, to other charges specifically established by statute.

STEWART L. UDALL,
Secretary of the Interior.

NOVEMBER 6, 1963.

[F.R. Doc. 63-11915; Filed, Nov. 13, 1963; 8:46 a.m.]

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER E—ORGANIZED RESERVES

PART 561—ARMY RESERVE

Enlistment

1. In § 561.29, paragraphs (b) and (c) are revised and paragraph (d) is revoked, as follows:

§ 561.29 Periods of enlistment.

(b) *Six-year—2-year active duty program.* Applicable to male applicants.

(c) *Six-year period—Reserve Enlistment Program of 1963 (REP 63).* Male applicants without prior military service may be enlisted for 6 years with a period of active duty for training of not less than 4 months depending on the time required to properly qualify the individual in the desired MOS. High school students may not be enlisted more than 1 year prior to expected date of graduation.

(d) *Eight-year period.* [Revoked].

2. In § 561.31, paragraph (a) (1) is revised to read as follows:

§ 561.31 Age requirements.

(a) *Personnel—(1) Initial enlistee:*

For 6 years with 2 years active duty	Age 17 to 26 years.
For 6 years for REP 63	17 to 26 years.
For 3 years with period of active duty for training required to qualify for MOS (for male enlistees)	26 to 35 years.

3. Section 561.34(a) is revised to read as follows:

§ 561.34 Dependents.

(a) Male applicants with dependents are authorized to enlist, if otherwise qualified, subject to the restrictions shown below:

	No. of dependents	Grade authorized
(1) Nonprior servicemen.	1	E-1.
(2) Prior servicemen.	Not more than 3.	E-1 through E-4.
(3) Prior servicemen.	4 or more.	E-4 or higher may enlist or reenlist only if entitled to enlist in grade E-4 or higher.

[C4 and C7, AR 140-111] (Sec. 280, 70A 14; 10 U.S.C. 280)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 63-11901; Filed, Nov. 13, 1963; 8:45 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Second Rev. S.O. 939; Amdt. 1-A]

PART 95—CAR SERVICE

Utilization of Fifty-Foot Long or Longer Plain Box Cars and Plain Box Cars Forty-Foot Long or Longer With Side Door Openings Eight-Foot Wide or Wider

At a session of the Interstate Commerce Commission, Safety and Service Board No. 1, held in Washington, D.C., on the 8th day of November A.D. 1963.

Upon further consideration of Amendment No. 1 to Second Revised Service Order No. 939 (27 F.R. 4975, 5141, 5399, 28 F.R. 1297, 28 F.R. 3857) and good cause appearing therefor:

It is ordered, That, § 95.939 Utilization of fifty-foot long or longer plain box cars and plain box cars forty-foot long or longer with side door openings eight-foot wide or wider, be and it is hereby vacated and set aside.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15. Interprets or applies secs. 1(10-17), 15(4), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4))

It is further ordered, That this order shall become effective at 12:01 a.m., November 11, 1963; that a copy of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Safety and Service Board No. 1.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 63-11953; Filed, Nov. 13, 1963; 8:47 a.m.]

[S.O. 944-A]

PART 95—CAR SERVICE

Distribution and Return of Empty Coal Cars

At a session of the Interstate Commerce Commission, Safety and Service Board No. 1, held at its office in Washington, D.C., on the 8th day of November A.D. 1963.

Upon further consideration of Service Order No. 944 (28 F.R. 7479) and good cause appearing therefor:

It is ordered, That, § 95.944 Distribution and return of empty coal cars, be and it is hereby vacated and set aside.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15. Interprets or applies secs. 1(10-17), 15(4), 40 Stat. 101, as

amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4))

It is further ordered, That this order shall become effective at 12:01 a.m., November 11, 1963; that a copy of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Safety and Service Board No. 1.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 63-11954; Filed, Nov. 13, 1963; 8:47 a.m.]

[Rev. S.O. 945-A]

PART 95—CAR SERVICE

Railroad Operating Regulations for Freight Car Movement

At a session of the Interstate Commerce Commission, Safety and Service Board No. 1 held at its office in Washington, D.C., on the 8th day of November A.D. 1963.

Upon further consideration of Revised Service Order No. 945 (28 F.R. 11734) and good cause appearing therefor:

It is ordered, That, § 95.945 Railroad Operating Regulations for Freight Car Movement, be and it is hereby vacated and set aside.

(Sec. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15. Interprets or applies sec. 1(10-17), 15(4), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4))

It is further ordered, That this order shall become effective at 12:01 a.m., November 11, 1963; that a copy of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Safety and Service Board No. 1.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 63-11955; Filed, Nov. 13, 1963; 8:47 a.m.]

[S.O. 947]

PART 95—CAR SERVICE

Railroad Operating Regulations for Freight Car Movement

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D.C., on the 7th day of November A.D. 1963.

It appearing, that an acute shortage of freight cars exists in all sections of the country; that cars loaded and empty are unduly delayed in terminals and in placement at, or removal from industries; that present rules, regulations, and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of freight cars are insufficient to promote the most efficient utilization of cars; it is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 95.947 Railroad operating regulations for freight car movement.

(a) Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce and obey the following rules, regulations and practices with respect to its car service:

(1) *Placing of cars.* (i) Loaded cars, which after placement will be governed by demurrage rules applicable to detention of cars awaiting unloading, shall be actually or constructively placed within 24 hours after the first 7:00 a.m., exclusive of Saturdays, Sundays, and holidays, following arrival at destination.

(ii) Actual placement means placing of car on consignee's tracks, or when for public delivery, placement on carrier's tracks accompanied by proper notice.

(iii) When delivery of a car, either empty or loaded, consigned or ordered to an industrial interchange track or to other-than-a-public-delivery track cannot be made on account of any condition attributable to the consignee, such car will be held at destination or, if it cannot reasonably be accommodated there, at an available hold point and constructive placement notice shall be sent or given the consignee in writing within 24 hours, exclusive of Saturdays, Sundays, and holidays, after arrival of car at hold point.

(iv) Loaded cars held at billed destination for accessorial terminal services described in the applicable tariffs, such as holding for orders or inspection, shall be placed on carrier's or consignee's unloading or inspection tracks, within 24 hours, exclusive of Saturdays, Sundays, and holidays, after arrival at billed destination. On cars set off and held short of billed destination, a written notice shall be sent or given to consignee within 24 hours following the first 7:00 a.m. after arrival at hold point.

(2) *Removal of cars.* (i) Empty cars must be removed from point of unloading or interchange tracks of industrial plants within 24 hours after the first 7:00 a.m., exclusive of Saturdays, Sundays, and holidays, following unloading or release by consignee or shipper, unless such cars unloaded are ordered or appropriated by the shipper for reloading within such a 24-hour period. Empty cars not

required for loading at point where made empty must be forwarded in line-haul service within 24 hours after the first 7:00 a.m., exclusive of Saturdays, Sundays, and holidays, following removal of empty car.

(ii) Outbound loaded freight cars must be removed from point of loading or interchange tracks of industrial plants within 24 hours after the first 7:00 a.m., exclusive of Saturdays, Sundays, and holidays, following tender and acceptance by carrier of the bill of lading covering the cars. Such cars must be forwarded in line-haul service within 24 hours after the first 7:00 a.m. following their receipt in outbound makeup or classification yards.

(3) *Holding cars for prospective loading.* (i) No more cars shall be held for prospective loading at any time, for any industry, or consignor, than those needed to protect current outbound loading.

(4) *Repair tracks.* (i) Any cars taken out of service for repairs, or carded for repairs, shall be repaired at the earliest time consistent with efficient railroad operating practices.

(5) *Car distribution orders.* (i) Observe, obey and comply with freight car distribution orders now outstanding, or hereafter issued by the Car Service Division, Association of American Railroads, not inconsistent with any order of the Commission. E. Paul Miller, Chairman of the Car Service Division, is directed to inform the Director of the Bureau of Safety and Service of such outstanding orders or similar orders which may be subsequently issued and, to advise the Director of the Bureau of Safety and Service of railroad performance and compliance with such orders.

(ii) C. W. Taylor, Director, Bureau of Safety and Service of the Interstate Commerce Commission, is hereby appointed Agent of the Commission with authority to issue such orders or directives as he may find necessary with respect to the location, relocation, and distribution of freight cars as between sections of the country, or carriers by railroads or on

such carriers, throughout the United States.

(6) *Yard checks, supervision and records.* (i) The necessary yard and track checks shall be made and sufficient supervision and records shall be maintained to enable carriers to comply with the provisions of this order.

(7) *Railroad operating regulations for the movement of loaded freight cars.*

(i) No common carrier by railroad subject to the Interstate Commerce Act shall willfully delay the movement of loaded freight cars by holding such cars in yards, terminals, or sidings for the purpose of increasing the time in transit of such loaded cars.

(ii) Loaded cars shall not be set out between terminals except in cases of emergencies or sound operating requirements.

(iii) Backhauling loaded cars for the purpose of increasing the time in transit shall constitute willful delay and is prohibited.

(iv) Through loaded cars shall not be handled on local or way freight trains for the purpose of increasing the time in transit of such loaded cars.

(v) The use by any common carrier by railroad, for the movement of loaded freight cars over its line, of any route other than its usual and customary fast freight route from point of receipt of the car from consignor or connecting line, except in emergencies, or for the purpose of according a lawfully established transit privilege (not including a diversion or reconsignment privilege) is hereby prohibited.

(8) *Carrier officials' responsibility.*

(i) The division superintendent in charge of each terminal under his jurisdiction or supervision, or if no division superintendent is in charge the general manager of each railroad will be held responsible for car service at each terminal and for the proper observance of the rules prescribed by this order.

(ii) Application. (a) The provisions of this order shall apply to intrastate and interstate commerce.

(b) When computing the periods of time provided in this order, exclude Saturdays, Sundays, and such holidays as are listed in Item No. 25, Agent H. R. Hinsch's Demurrage Tariff I.C.C. H-11, or reissues thereof, only when they occur within the said periods of time, but not after.

(iii) Regulations suspended — announcement required. The operation of all rules and regulations, insofar as they conflict with the provisions of this order, is hereby suspended and each railroad subject to this order, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9(k) of the Commission's Tariff Circular No. 20, announcing such suspension.

(iv) Effective date. This order shall become effective at 12:01 a.m., November 11, 1963.

(v) Expiration date. This order shall expire at 11:59 p.m., July 31, 1964, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15. Interprets or applies secs. 1(10-17), 15(4), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4))

By the Commission, Division 3.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 63-11938; Filed, Nov. 13, 1963;
8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 965]

TEXAS VALLEY TOMATO COMMITTEE

Proposed Change in Fiscal Period

Notice is hereby given of a proposed change in the fiscal period, as herein-after set forth, for the Texas Valley Tomato Committee, as recommended by the said Committee, established pursuant to Marketing Order No. 965.

The marketing order regulates the handling of tomatoes grown in the Counties of Cameron, Hidalgo, Starr and Willacy in the State of Texas, and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

Consideration will be given to any data, views, or arguments pertaining thereto, which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington, D.C., 20250, not later than 10 days following publication of this notice in the FEDERAL REGISTER.

The proposal would add a new section to the existing rules and regulations as follows:

Subpart—Rules and Regulations

DEFINITIONS

§ 965.114 Fiscal period.

The fiscal period which began March 1, 1963, shall end July 31, 1963, both dates inclusive. Beginning August 1, 1963, and thereafter, the fiscal period shall begin August 1 of each year and end July 31 of the following year, both dates inclusive.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: November 8, 1963.

FLOYD F. HEDLUND,

Director,

Fruit and Vegetable Division.

[F.R. Doc. 63-11958; Filed, Nov. 13, 1963; 8:47 a.m.]

[7 CFR Part 1126]

[Docket No. AO-231-A22]

MILK IN NORTH TEXAS MARKETING AREA

Notice of Recommended Decision and Opportunity To File Written Excep- tions on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of

1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the North Texas marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D.C., by the 10th day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate.

Preliminary statement. The hearing on the record of which the findings and conclusions, as hereinafter set forth, were formulated, was conducted at Dallas, Texas, on August 14-15, 1963, pursuant to notice thereof which was issued July 30, 1963 (28 F.R. 7911).

The material issues on the record of the hearing relate to:

1. Revision in the level of Class I price; and

2. An increase in the Class II price at pool distributing plants located in Dallas and Tarrant Counties, Texas.

Findings and conclusions. A recommended decision containing findings and conclusions on Issue No. 1 was issued September 16, 1963 (28 F.R. 10212) and a final decision on September 26, 1963 (28 F.R. 10521).

The following findings and conclusions on the remaining material issue (No. 2) are based on evidence presented at the hearing and the record thereof:

2. **Class II milk price.** No change should be made in the Class II pricing provisions on the basis of this record.

Since April 1961, the North Texas Class II price, for the months of July through March has been the higher of the butter-powder formula price (which reflects prices reported at Chicago for butter and nonfat dry milk) or the Cheddar cheese formula price (which reflects prices paid per pound of Cheddar cheese at Wisconsin primary markets). In all other months, the Class II price is the higher of the butter-powder formula price, less 14 cents, or the Cheddar cheese formula price. Since the inception of the present Class II pricing provisions, the Cheddar cheese formula price has never been effective in determining the Class II price. Consequently, the Class II price has continuously reflected competitive market prices for nonfat dry milk f.o.b. plants in the Chicago area and butter at Chicago. Under the terms of the order the Class II prices are applicable to milk used to produce ice cream, cottage cheese, unsweetened condensed skim milk, eggnog, sour cream, Cheddar cheese, butter, nonfat dry milk, milk sold for animal feed; inventories of fluid milk products on hand at the end of the

month; allowable shrinkage and milk products used for fortification.

North Texas Producers Association proposed a 15-cent increase in the price of milk utilized as Class II at pool plants located in Dallas and Tarrant Counties, Texas. In support of their position proponents advanced Alfred Weber's theory of economic location (i.e., that location of manufacturing industries is determined by the ratio between the weight of the localized material and the weight of the product) and Von Thunen's theory of the location of agricultural enterprises (i.e., that concentric zones of production would be established around a metropolitan city with the most bulky and highly perishable products being produced closest to the city and the less perishable products in outer zones). Proponents contend that the present structure of the North Texas market is in conflict with these theories in that handlers have concentrated their manufacturing operations in their city processing plants and producers are required to deliver milk to such plants for both Class I and Class II uses, whereas milk for other than fluid uses might more economically be moved to plants in the production area for manufacturing uses. Proponents further contend that such manufacturing outlets are available in the production area and that producers incur additional hauling costs approximating 15 cents per hundredweight in delivering milk to city plants rather than to plants in the production area. They take the position that because handlers demand producer milk for Class II use, producers should be compensated for the additional transportation costs in delivering such milk to city plants.

Handlers in Dallas and Fort Worth generally opposed any change in the Class II price level contending that a price increase as requested would place them at a competition disadvantage in relation to North Texas handlers with plants outside of Dallas and Tarrant Counties and in relation to handlers in adjacent markets with which they compete.

While the structure of the North Texas market seemingly conflicts with the "ideal" market structure, producers contend that this is the result of operating decisions on the part of regulated handlers. They suggest that all of the milk produced within 80 miles of Dallas and Fort Worth is needed to fulfill the Class I requirements of the market and that milk produced beyond that distance could be moved to nearby country manufacturing plants at a transportation saving approximating 15 cents per hundredweight based on the application of a transportation rate of 1.5 cents for each ten miles of distance. Because city-based handlers require milk for Class II use at their city plants, proponents hold that such handlers should pay to producers the additional transportation cost involved.

Notwithstanding proponents' position, there was no showing that the 15-cent Class II price increase requested for milk received at plants in Dallas and Tarrant Counties is in any substantial way related to actual transportation costs. Producer milk generally moves to market via contract haulers at negotiated rates. While there are differences in hauling rates as among producers which in some measure reflect differences in length of haul, the established rate for any producer is largely a composite rate reflecting the average hauling distance for all producers. Milk produced in the southern part of the milkshed near Dallas and Fort Worth is not necessarily always moved to such points but may be routed to manufacturing plants in the northern portion of the milkshed at the same time that milk produced in the proximity of such manufacturing plants is delivered to Dallas and Fort Worth handlers.

Even if the requested 15-cent increase actually reflected the additional cost of moving milk to Dallas and Fort Worth plants, there is no way under the order whereby the money could be returned to the producers whose milk was involved. Under the location differential provisions of the order all producers delivering to plants within 110 miles of the City Hall of Dallas, Texas, receive the same uniform price. In excess of 90 percent of the producer milk on the market is received at plants at which no location differential is applicable. Only one plant, a receiving station, located at Monett, Missouri, is subject to a location differential.

While proponents recognize that the requested 15-cent price increase would be shared by all producers rather than only by the producers whose milk was moved to the city for Class II use, they indicated their willingness to share the increase and pointed out that the North Texas Producers Association represents the preponderance of producers (in excess of 80 percent) and carries essentially all of the reserve supply of the market. Notwithstanding, any price increase based on additional transportation cost should of necessity accrue only to producers whose milk is subject to such additional transportation.

Most of the milk moved to fluid processing plants in Dallas and Tarrant Counties for Class II use is disposed of in ice cream and cottage cheese. During the period 1952 through 1962, Class II usage of producer milk at such plants has increased from 42 million pounds to almost 115 million pounds annually.

If handlers demand local producer milk for specified Class II usage and a higher pricing would not result in a loss of market for producer milk, there is no economic reason for denying a higher pricing. However, such higher pricing should necessarily be applied uniformly to all handlers. This higher pricing if restricted to only handlers with plants located in Dallas and Tarrant Counties, could place such handlers at a competitive disadvantage with order handlers whose plants are located outside of such counties and who also manufacture ice cream and/or cottage cheese. The notice

of hearing would not permit extension of any Class II price adjustment to plants located outside of Dallas and Tarrant Counties and accordingly, no change in the level of Class II pricing appropriately can be made on the basis of this record.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

Signed at Washington, D.C., on November 8, 1963.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 63-11959; Filed, Nov. 13, 1963;
8:47 a.m.]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 563]

[No. FSLIC-1679]

FEDERAL INSURANCE RESERVE

Required Amounts and Maintenance

NOVEMBER 6, 1963.

Resolved that, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 567.1 of the rules and regulations for Insurance of Accounts (12 CFR 567.1), it is hereby proposed that § 563.13 of the Rules and Regulations for Insurance of Accounts (12 CFR 563.13) be amended by an amendment the substance of which is as follows:

Amend § 563.13 of the rules and regulations for insurance of accounts to read as follows:

§ 563.13 Required amounts and maintenance of Federal insurance reserve.

(a) *Prior to expiration of 20 years from date of insurance.* (1) Each insured institution shall, except as provided in § 563.12 of this subchapter or in subparagraph (2) of this paragraph, during each of the fiscal years immediately following the date of insurance of its accounts, credit semi-annually to its Federal insurance reserve account an amount equal to at least 10 percent of its net income for the semi-annual period but shall build up such reserve account so that, at the closing on the closing date preceding the stated anniversary of the date of insurance of accounts, such reserve account shall be at least equal to the following percentage of the total of its savings accounts on such closing date:

1.25 percent at the fifth anniversary.
1.50 percent at the sixth anniversary.
1.75 percent at the seventh anniversary.
2.0 percent at the eighth anniversary.

2.25 percent at the ninth anniversary
2.50 percent at the tenth anniversary.
2.75 percent at the eleventh anniversary.
3.0 percent at the twelfth anniversary.
3.25 percent at the thirteenth anniversary.
3.50 percent at the fourteenth anniversary.
3.75 percent at the fifteenth anniversary.
4.0 percent at the sixteenth anniversary.
4.25 percent at the seventeenth anniversary.
4.50 percent at the eighteenth anniversary.
4.75 percent at the nineteenth anniversary.

Provided, That if at any closing date the amount of the Federal insurance reserve account of an insured institution is less than the amount required by the preceding requirements, such institution shall credit to such reserve account, at such time, an amount at least equal to 25 percent of its net income or such part of such 25 percent as may then be sufficient to cause the amount of such reserve account to equal at least the amount required by the requirements of this paragraph: *Provided further*, That, notwithstanding any other provision of this section, each insured institution shall have a Federal insurance reserve account at least equal to 5 percent of the total of its savings accounts at the beginning of that half of the institution's fiscal year in which occurs the twentieth anniversary of the date of insurance of the institution's accounts. The term "closing date" as used in this section includes any annual or semi-annual closing date.

(2) At the close of any semi-annual period in which the total of its savings accounts exceed 8 million dollars, an insured institution shall become subject to the greater of the requirements above or the requirements of paragraph (b) of this section: *Provided*, That the requirements of paragraph (b) of this section shall apply only to the amount over 8 million dollars and the base for calculating growth shall be 8 million dollars for the semi-annual period in which the insured accounts rise above 8 million dollars.

(b) *After expiration of 20 years from date of insurance.* (1) In any fiscal year subsequent to the twentieth anniversary of the date of insurance of accounts, each insured institution shall semi-annually credit, from net income or from surplus and undivided profits not currently earmarked to meet reserve requirements under previous regulations, to its Federal insurance reserve account or other reserve accounts irrevocably established for the sole purpose of absorbing losses, the amount required by the applicable of the following requirements:

(i) Each institution must so credit an amount equal to 10 percent of net income for the semi-annual period;

(ii) Institutions with an adjusted permanent capital of below 10 percent of all savings accounts and a growth in savings accounts for the semi-annual period of over 5 percent (i.e. 10 percent on an annual rate basis);

(a) Must so credit an amount equal to 8 percent of the growth in savings accounts in excess of 5 percent but below 10 percent (i.e. in excess of 10 percent but below 20 percent on an annual rate basis); and

(b) Must so credit an amount equal to 9 percent of the growth in savings accounts in excess of 10 percent (i.e. 20 percent on an annual rate basis);

(iii) Institutions may, as an alternative to the appropriate requirement of subdivision (i) or (ii) of this subparagraph, credit the amount by which the total of its permanent capital and reserve for bad debts is less than 12 percent of the total of its savings accounts at the close of the semi-annual period.

(2) If the Federal insurance reserve account of any insured institution which has passed on the twentieth anniversary of the date of insurance of its accounts is, at the closing of any semi-annual period, less than an amount equal to 5 percent of the total of its savings accounts on such date, such institution shall credit to its Federal insurance reserve account, at such time, an amount equal to at least 25 percent of net income for the period or an amount equal to the appropriate requirement in subparagraph (1) of this paragraph, whichever is greater.

(c) *Waiver of requirements.* Upon application filed through the appropriate supervisory agent not later than 30 days from the close of the semi-annual period, the Insurance Corporation may grant waivers of, or exceptions to, the requirements set forth above. The following factors shall be considered in determining whether to grant such an application:

(1) Present ratio of permanent capital to total savings accounts;

(2) Percentage of slow assets to permanent capital;

(3) Foreclosure rate;

(4) Ratio of total operating expenses to gross operating income, average total savings accounts and average total assets;

(5) Composition of loan portfolio;

(6) The proportion of the current required reserve allocation which has been met.

(7) The existence of a significant supervisory problem with respect to the applicant.

(d) *Limitation on payment of dividends.* Any insured institution which has failed to meet the required allocation under the appropriate provision of paragraphs (a) or (b) of this section and which has not received a waiver or other relief under paragraph (c) of this section, shall not pay or advertise dividends for the ensuing period in excess of the amount approved by the Insurance Corporation.

(e) *Definitions.* For the purpose of this section, (1) the term "savings accounts" means withdrawable or repurchasable shares, investment certificates, deposits, or savings accounts held by insured members in an institution insured by the Insurance Corporation; (2) the term "closing date" means any annual or semi-annual closing date; (3) the term "permanent capital" means the sum of the Federal insurance reserve account, other reserve accounts irrevocably established for the sole purpose of absorbing losses and nonwithdrawable accounts (as defined in § 561.4 of this subchapter); (4) the term "adjusted permanent capital" means permanent capital less 20 percent of slow assets; (5) the term "slow assets" means real estate owned as a result of foreclosure, or acquired by deed in lieu of foreclosure, such real estate sold on contract of sale or by the use of loans in excess of otherwise applicable lending limitations and slow loans as reportable in the annual reports; (6) the term "foreclosure rate" means the number of foreclosures in any period as a ratio to the monthly average of the number of loans outstanding dur-

ing such period; (7) the term "total operating expenses" means the total of expenses itemized in Exhibit B of the annual report; (8) the term "gross operating income" means gross operating income as that term is used in Exhibit B of the annual report; (9) the term "average total savings accounts" means the sum of the total savings accounts at the beginning and the end of the period, divided by two; (10) the term "average total assets" means the sum of the total assets at the beginning and the end of the period, divided by two.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D.C., 20552, not later than December 15, 1963, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, Jr.,
Assistant Secretary.

[F.R. Doc. 63-11905; Filed, Nov. 13, 1963;
8:45 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[BLM 073814]

ARKANSAS

Notice of Proposed Withdrawal and Reservation of Land

The United States Army Engineering District, Memphis, Corps of Engineers has filed an application, LMMVR-C, Serial Number BLM 073814 for the withdrawal of the lands described below, from appropriation under the public land laws, subject to valid existing rights.

The land is desired to provide the right, power, privilege, and easement to flood and inundate the lands, as may be necessary in the construction, operation and maintenance of the Sandy, Arkansas Sector of the Bay and St. Francis Drainage District No. 29. The Drainage District is a portion of the project for flood control in the St. Francis River Basin authorized by the Act of May 15, 1928 (45 Stat. 536; 33 U.S. 702a), as amended.

The land is presently withdrawn by the Fish and Wildlife Service, Department of the Interior for the use of the Game and Fish Commission with the St. Francis Sunken Lands and Marked Tree Floodway Project.

The proposed use will not affect the continuing full operation of the public land laws and Federal regulations relating to conservation, utilization, and development of mineral resources, timber, and other resources, grazing resources, fish and wildlife resources, water resources, and scenic wilderness, and recreation and other values.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions or objections in connection with the proposed withdrawal, may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Washington, D.C., 20240.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the withdrawal are as follows:

ARKANSAS

FIFTH PRINCIPAL MERIDIAN (CRAIGHEAD COUNTY)

T. 14 N., R. 6 E.,

Sec. 23, a portion of lot 3, that lies south and west of the existing levee right of way and more particularly described as follows:

Beginning at the southwest corner of lot 3; thence along the west line of lot 3 north 200 feet; thence along the levee right of way

line south 68°30' east 215 feet south 36° east 169.9 feet; thence along the south line of lot 3 west 302.9 feet to the point of beginning.

The area described contains 0.9 of an acre.

DORIS A. KOIVULA,
Manager, Land Office.

[F.R. Doc. 63-11911; Filed, Nov. 13, 1963; 8:45 a.m.]

MONTANA

Small Tract Opening

1. Pursuant to authority delegated to the State Director by Bureau Order No. 684, section 1.5(c), dated August 28, 1961, and further delegated to me by the State Director (F.R. Vol. 26, No. 202, October 19, 1961), and in accordance with 43 CFR 257.6(e) 4, I hereby open the following described land to application under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), as amended:

PRINCIPAL MERIDIAN MONTANA

T. 13 N., R. 6 W.,

Sec. 7, S½SW¼SE¼SW¼NE¼ and N½NW¼NE¼NW¼SE¼.

Applicants must file an application in duplicate on Form 4-776, together with a petition on Form 4-1677, with the Manager, Land Office, 1245 North 29th Street, Billings, Montana, 59101, within 10 days of the publication date of this order. The area will be closed to Small Tract filings at the expiration of this 10-day period.

The applications must be accompanied by a filing fee of \$10. All filing fees will be retained by the United States.

ROBERT A. JONES,
Chief,

Division of Lands and Minerals.

[F.R. Doc. 63-11912; Filed, Nov. 13, 1963; 8:45 a.m.]

[Classification No. 41]

WYOMING

Small Tract Classification and Order of Sale

NOVEMBER 6, 1963.

1. Pursuant to authority delegated to me by Bureau Order No. 684, dated August 28, 1961 (26 F.R. 8216), I hereby offer for sale at public auction under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), as amended, eighteen tracts listed in paragraph 3 of this order.

2. The lands are located three miles west of Big Piney, Sublette County, Wyoming, at the junction of U.S. Highway 189 and Calpet County Road. The lands are almost level with a short rise across the extreme southwestern portion. Vegetation consists of big sagebrush and

associated mixed grasses and forbs. There is no surface water on the lands.

3. The tracts are described as follows:

SIXTH PRINCIPAL MERIDIAN

T. 29 N., R. 111 W., sec. 17, SW¼SW¼

Tract No.	Acres	Appraised value
37.....	2.50	\$850
38.....	3.00	1,450
39.....	2.29	1,400
40.....	2.19	1,150
41.....	2.44	1,000
45 and 46.....	3.60	1,800
47 and 48.....	3.90	1,850
49.....	2.50	1,300
50.....	2.90	1,300
51.....	2.50	850
52.....	2.50	850
55.....	2.50	850
56.....	2.50	850
57.....	2.50	850
58.....	2.10	1,100

T. 29 N., R. 111 W., sec. 18, SE¼SE¼

Tract No.	Acres	Appraised value
41.....	2.50	\$850
42.....	1.51	800
54.....	2.50	800

4. Each tract will be sold subject to existing rights-of-way, and other rights-of-way for streets, roads, and utilities will be reserved as follows: Tract 37, 30 feet along north and east boundaries; tract 38, 30 feet along north boundary; tract 39, 50 feet from the center line of Calpet County Road along the west boundary; tract 40, 30 feet along the north boundary and 50 feet from the center line of Calpet County Road; tract 41, 30 feet on the north and west boundaries; tract 42, 30 feet on the west boundary and 50 feet from the center line of Calpet County Road; tract 44, 50 feet from the center line of Calpet County Road; tracts 47 and 48, 30 feet along the east boundary of tract 48; tract 49, 30 feet along the east boundary; tract 50, 30 feet along the south boundary; tract 51, 30 feet along the south boundary; tract 52, 30 feet along the south boundary; tract 54, 30 feet along the north and south boundaries; tract 55, 30 feet along the north and south boundaries; tract 56, 30 feet along the north and south boundaries; tract 57, 30 feet along the north and south boundaries; and tract 58, 30 feet along the north and south boundaries. All minerals will be reserved to the United States.

5. Classification of the above described lands by this order segregates them from all forms of appropriation, including location under the mining laws, except as to applications under the mineral leasing laws.

6. The tracts described in paragraph 3 above will be offered at public auction at a public sale to be held at the land office of the Bureau of Land Management, 2002 Capitol Ave., Cheyenne, Wyoming, beginning at 11:00 a.m. on December 10, 1963. Bids may be made personally by

the bidder or by his agent at the sale or may be made by mail. Bids made by mail will be considered only if received at the Cheyenne land office prior to 10:30 a.m. on the day of the sale. No sealed bid will be accepted if it is less than the appraised value of the tract. Oral bidding will be in increments to be announced at the sale. Each bid sent by mail must clearly show (a) the name and post office address of the bidder, (b) Offer No. 41, and the land described by tract number for which the bid is made. Each sealed bid must be accompanied by the full amount bid in the form of a certified or cashier's check, postal money order, or bank draft made payable to the Bureau of Land Management. Each sealed bid must be enclosed in a separate envelope but payment need accompany only the highest bid provided all other bids designate the envelope containing the payment. Each outside envelope must carry on its reverse the following information: (a) Offer No. 41, Sale, December 10, 1963, (b) the tract number for which the bid is made, described in accordance with paragraph 3 of this order.

7. Persons who have previously acquired a tract under the Small Tract Act are not qualified to purchase a tract at the sale unless they can make a satisfactory showing to the Bureau of Land Management that the acquisition of another tract is warranted under the circumstances.

8. Each tract will be awarded to the highest qualified bidder. If the highest bid is oral, the bidder will be required to make full payment at the close of the bidding and a personal check will be acceptable. Any person who is declared high bidder for any particular tract will automatically be disqualified from consideration for other tracts.

9. Any tract not sold when offered in the course of bidding and on which no qualified sealed bid is received by mail will be reoffered at public auction beginning at 11:00 a.m. on December 17, 1963, in Room 108, Bureau of Land Management land office, 2002 Capitol Ave., for a one hour period. The sale will be reopened on succeeding Tuesdays for an additional one hour period until all tracts are sold or until the sale is terminated.

10. Inquiries concerning the tracts should be addressed to the Assistant State Director, Bureau of Land Management, P.O. Box 929, Cheyenne, Wyoming.

ED PIERSON,
State Director.

[F.R. Doc. 63-11939; Filed, Nov. 13, 1963;
8:47 a.m.]

National Park Service

THEODORE ROOSEVELT NATIONAL MEMORIAL PARK

Revision of Boundary of South Unit

Whereas, section 3 of the Act of March 24, 1956 (70 Stat. 55, 56) authorizes the Secretary of the Interior to make adjustments in the boundaries of the Theodore Roosevelt National Memorial

Park along United States Highway 10 if and when the alignment of such highway is changed; and

Whereas, United States Highway 10 has been re-aligned and will be improved as Interstate Route 94, which route will carry, also, the concurrent designation of United States Highway 10; and

Whereas, some park lands will be utilized for the highway and the highway relocation will sever certain Federal and other lands from the south unit of the park, and will leave certain Federal and other lands isolated between the new highway alignment and the park; and

Whereas, it appears administratively advisable and in the public interest to revise portions of the boundary of the south unit of Theodore Roosevelt National Memorial Park to conform to the north right-of-way line of Interstate Route 94, known also as U.S. Highway 10:

Now, therefore, I, Stewart L. Udall, Secretary of the Interior, under and by virtue of the authority contained in section 3 of the Act of March 24, 1956, supra, do hereby give notice that portions of the southerly boundary of the south unit of the Theodore Roosevelt National Memorial Park are revised and the boundary of such portions shall hereafter be as follows:

1. Beginning at the point of intersection of the north right-of-way line of Interstate Highway 94 (U.S. Highway 10) with the east section line of section 32, T. 140 N., R. 100 W., 5th Principal Meridian, being a point on the east boundary of the south unit of the park; thence generally westward along the said north right-of-way line to the point of intersection with the north section line of section 25, T. 140 N., R. 102 W.; thence westward along the north section line of said section 25 and the north section line of section 26, said township and range, to the northwest corner northeast quarter northeast quarter of said section 26, being also a point on the boundary of the south unit of the park.

2. Beginning at the point of intersection of the right bank of the Little Missouri River and the east section line of section 21, T. 140 N., R. 102 W.; thence northerly along the east section line of said section 21 to the point of intersection with the north right-of-way line of Interstate Highway 94 (U.S. Highway 10); thence westerly along the said north right-of-way line to the point of intersection with the west section line of the said section 21, being also a point on the west boundary of the south unit of the park.

Pursuant to section 3 of the Act of March 24, 1956, supra, all lands lying southerly of the boundary described above are hereby excluded from the Theodore Roosevelt National Memorial Park and all lands not heretofore a part of such park which lie northerly of such described boundary are hereby added to the park and shall be administered in accordance with the rules and regulations applicable thereto. Federal lands hereby excluded from the Theodore Roosevelt National Memorial Park are transferred to the administrative jurisdiction of the Secretary of Agriculture for administration or disposition in accordance with Title III of the Bankhead-Jones Farm Tenant Act.

In witness whereof, I have hereunto set my hand and caused the official seal of the Department of the Interior to

be affixed in the city of Washington, D.C., this the 6th day of November 1963.

[SEAL]

STEWART L. UDALL,
Secretary of the Interior.

[F.R. Doc 63-11914; Filed, Nov. 13, 1963;
8:46 a.m.]

Office of the Secretary

ALEXANDER S. CHAMBERLAIN

Notice of Appointment and Statement of Financial Interests

NOVEMBER 7, 1963.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: Alexander S. Chamberlain.

Name of employing agency: Office of Oil and Gas, Washington, D.C.

The title of the appointee's position: Regional Administrator, Emergency Petroleum and Gas Administration Region 2, Olney, Maryland.

The name of the appointee's private employer or employers: Ashland Oil & Refining Company, Louisville, Kentucky.

The statement of "financial interests" for the above appointee is enclosed.

THOMAS H. TELLIER,
Personnel Officer.

APPOINTEE'S STATEMENT OF FINANCIAL INTERESTS

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on October 14, 1963, as Regional Administrator, Emergency Petroleum and Gas Administration, an officer or director:

Ashland Oil & Refining Company; Vice President.
Louisville Refining Company; President.
Louisville Trust Company; Director.
American Central Life Insurance Co.; Director.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

Allied Chemical Corporation.
American Broadcasting—Paramount.
American Central Life Insurance Co.
Ashland Oil & Refining Company.
Commonwealth Oil Refining Co.
Federal Paper Board Co.
Fedders Corporation.
Insurance Investors Trust Co.
Louisville Cement Company.
Louisville Trust Company.
New England Electric System.
New York, Chicago & St. Louis Railroad.
North American Car Corporation.
Pittsburgh Plate Glass Company.
Reynolds Metals Company.
Schering Corporation.
Second National Bank of Ashland.
Southern Company.
Sunray DX Oil Company.
Texaco, Inc.
U.S. Pipe & Foundry Company.
U.S. Steel Corporation.
Western Kentucky Gas Company.
Western Union.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment:

None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment:

None.

Dated: October 30, 1963.

ALEXANDER S. CHAMBERLAIN.

[F.R. Doc. 63-11916; Filed, Nov. 13, 1963;
8:46 a.m.]

LOWELL E. HUNT

Notice of Appointment and Statement of Financial Interests

NOVEMBER 7, 1963.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: Lowell E. Hunt.

Name of employing agency: Office of Oil and Gas, Washington, D.C.

The title of the appointee's position: Regional Administrator, Emergency Petroleum and Gas Administration Region 8, Everett, Washington.

The name of the appointee's private employer or employers: Standard Oil Company of California, Seattle, Washington.

The statement of "financial interests" for the above appointee is enclosed.

THOMAS H. TELLIER,
Personnel Officer.

APPOINTEE'S STATEMENT OF FINANCIAL INTERESTS

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER.

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on October 9, 1963, as Regional Administrator, Emergency Petroleum and Gas Administration, an officer or director:

None.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

Standard Oil Company of California only.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment:

None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment:

None.

Dated: November 1, 1963.

LOWELL E. HUNT.

[F.R. Doc. 63-11917; Filed, Nov. 13, 1963;
8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Research Service ORGANIZATION, FUNCTIONS AND AUTHORITIES

I. Purpose.

This notice outlines the basic functions, authorities and organizational structure of the Agricultural Research Service established under Secretary's order of December 24, 1953 (19 F.R. 74), as amended, and assignments of overall responsibilities and authorities within the Service. The "Notice of Organization, Functions and Authorities of the Agricultural Research Service" effective January 19, 1962 (27 F.R. 5348), as amended, is hereby superseded.

II. Functions of the Agricultural Research Service.

A. Assignment of functions. The Agricultural Research Service is responsible for:

1. Coordination of research activities of the Department, including examination and analysis of such activities current and contemplated, review and approval of projects or proposals prior to initiation, advice and consultation on planning with heads of agencies, and reports and recommendations to the Secretary.

2. The following research programs: Production and Utilization (except forestry) research, including research under Title I of the Research and Marketing Act of 1946 (7 U.S.C. 427 et seq.); soil conservation (except the national soil survey); grass, and control of undesirable plants; range management (except on forest ranges and adjacent integrated nonforest lands), cotton ginning and processing; under section 7(b) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98f); under the Housing Act of 1949 (42 U.S.C. 1471 et seq.).

3. The research, investigations, inspections, experimentations, demonstrations, development work, service and regulatory work, and control and eradication of insects, plant and animal pests and diseases provided for under the heading "Agricultural Research Administration" in the Department of Agriculture Appropriation Act of 1954 (except forest pests and diseases, and research on off-farm handling, transportation and storage of agricultural products including investigations of insect infestations of off-farm stored products), and the following services conducted under sections 203 and 205 of the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1622 and 1624): Inspection and certification, and standardization incidental thereto, of food for dogs, cats and other carnivora, of animal by-products not capable of use as human food, and of human food articles derived wholly or in part from meat, meat by-products or meat food products and not subject to the Federal meat inspection laws but for which the mark of Federal meat inspection is requested, identification service for federally inspected meat, meat by-products and meat food products, contract specification work in processing departments of federally in-

spected meat plants, and certification service for livestock products for export for human food purposes.

4. Administration of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135-135k).

5. Administration of the Virgin Islands agricultural research and extension service programs (48 U.S.C. 1409m-1409o).

6. Eradication of foot-and-mouth and other contagious diseases of animals and poultry.

7. Hog Cholera Serum and Virus Marketing Agreement Act (7 U.S.C. 851-855).

8. Administration of Title III of the Research and Marketing Act (7 U.S.C. 1628-1629).

9. All administrative functions on behalf of the Secretary relating to the acquisition and administration of patent rights.

10. Administration of the provisions of section 408(l) of the Federal Food, Drug and Cosmetic Act, as added by section 3 of the Act of July 22, 1954 (Public Law 518, 83d Congress), providing for certification with respect to certain pesticide chemicals for which tolerances or exemptions are sought.

11. Administration of responsibilities with respect to pre-emergency planning and emergency operations covering defense against biological and chemical warfare in relation to crops, livestock and products thereof and determination of the effects of biological and chemical warfare agents on agriculture; inspection of livestock, meat and meat products in slaughtering and processing plants subject to continuous inspection to insure wholesomeness and safety from biological and chemical warfare agents and radioactive contamination; research in support of assigned defense planning and anticipated emergency operations; information and advice concerning equipment, chemicals and other requisites needed in support of assigned activities; and organizing, equipping, and directing a departmentwide system of radiological monitoring.

12. The use, administration and disposition under Title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010-1012) and the related provisions of Title IV thereof of lands which have heretofore been transferred or which hereafter may be transferred by agreement between the interested agencies with the approval of the Assistant Secretary.

13. Administration of the Federal Plant Pest Act of May 23, 1957 (Public Law 85-36).

14. All administrative functions on behalf of the Secretary relating to radiological safety within the Department, including control of the acquisition, use and disposition, from the standpoint of radiological safety, of all materials and equipment which are sources of actual and potential radiation hazard.

15. Administration of sections 4 and 5 of the Humane Slaughter Act (Public Law 85-765).

16. Coordination of all foreign translation activities in the Department, including liaison with the National Science Foundation and other Government agencies on all matters pertaining to this program except as reserved to the Na-

tional Agricultural Library and the Office of Budget and Finance.

17. Utilization research in aid of market development under section 104(a) of the Agricultural Trade and Development Act of 1954, as amended (Public Law 480, 83d Congress); and a foreign contracts and grants program of farm, forestry, marketing, and utilization research, under section 104(k) of such Act, in cooperation with Agricultural Marketing Service, Forest Service, Economic Research Service, and Statistical Reporting Service, in their respective areas of responsibility. Foreign activities under this assignment are subject to the coordinating responsibilities of the Foreign Agricultural Service.

18. Authority to make grants under the provisions of Public Law 85-934 (42 U.S.C. 1891-1893) for the support of basic scientific research at nonprofit institutions of higher education or at nonprofit organizations whose primary purpose is the conduct of scientific research, and administration of responsibilities related thereto.

B. Reservations.

1. The following are reserved to the Secretary:

a. Final action on regulations under the Hog Cholera Serum and Virus Marketing Agreement Act, previously requiring approval of the President.

b. The issuance, amendment, termination or suspension of any marketing agreement or order or any provision thereof.

c. Designation of members of advisory committees under Title III of the Research and Marketing Act (7 U.S.C. 1628-1629).

d. Determination as to the measure and character of cooperation with Mexico in the foot-and-mouth disease program pursuant to section 1 of the Act of February 28, 1947 (21 U.S.C. 114b), the designation of members of advisory committees, and the appointment of Commissioners on any joint commission with the Government of Mexico set up under such program.

e. Approval of requests for apportionment of reserves for emergency outbreaks of insect pests and plant diseases.

f. Determination of emergencies in connection with the eradication of foot-and-mouth disease and other contagious diseases of animals and poultry.

g. Designation of members of the advisory committee, under section 5 of the Humane Slaughter Act (Public Law 85-765).

2. The following is reserved to the Judicial Officer:

a. Final action in proceedings pursuant to sections 7 and 8 of the Administrative Procedure Act, except orders in rule-making proceedings under the Hog Cholera Serum and Virus Marketing Agreement Act.

III. Authority of the Administrator.

Subject to the reservations contained in II-B above, the Administrator is authorized to execute any document, authorize any expenditure, and promulgate any rule, regulation, order or instruction required by law or deemed by him to be necessary and proper to the discharge of the functions assigned to

the Agricultural Research Service and to delegate and provide for the redelegation of his authority to appropriate officers and employees consistent with and with due regard to his personal responsibilities for the proper discharge of functions assigned to the Service. Delegations and provision for redelegation as appropriate to ARS are stated in IV below.

IV. Delegation of authority in ARS.

A. To Associate Administrator. The Associate Administrator is authorized to act for the Administrator in performing all functions for which the Administrator is responsible.

B. To Deputy Administrators and Division Directors. The Deputy Administrators and Division Directors, and to those officers they designate to act for them, are delegated the authorities not specifically reserved in V below which are necessary to the discharge of responsibilities assigned to the Agricultural Research Service. This delegation does not apply to authorities which are reserved by the Administrative Regulations of the Department. This delegation does not preclude the Administrator from exercising any of the powers or functions, or from performing any of the duties listed herein, and any such delegation is subject at all times to withdrawal or amendment. Redelegations to others may be made only with specific approval of the Administrator.

V. Reservations.

The following authorities and/or responsibilities are reserved to the Administrator or Acting Administrator:

A. The initiation, change, or discontinuance of major areas of research or regulatory and control activities conducted by ARS.

B. The issuance of regulations pursuant to law.

C. The transfer of functions, funds, property, or personnel between divisions of ARS.

D. The approval of any change in the formal organization of ARS including the section, its equivalent, or higher level.

E. The making of recommendations to the Department concerning establishment, consolidation, change in location, or abolishment of (1) Regional, State, and other field headquarters offices, and (2) any regional or other program administrative area that includes two or more States or that cuts across a State line.

F. Authority to establish, consolidate, or change a location, or abolish any field office or changes in program area boundaries not included in A above.

G. All appointments and promotions to GS-14 and above, and all reassignments in GS-14 and above involving a basic change in the nature of the assignment.

H. Authorization for foreign travel, and recommendation to the Department for approval of attendance at international and foreign meetings.

I. Approval of budget estimates.

J. Approval of work projects and recommendation of financial projects to the Department.

VI. Responsibilities of divisions and staff offices reporting directly to the Administrator.

A. Foreign Research and Technical Programs Division. Responsible for the foreign research contract and grant activities for the Department of Agriculture carried out by foreign governments and scientific organizations under Public Law 83-480 and related legislation with respect to functions listed under IIA 16 and 17 above.

B. Information Division. Responsible for the overall information program for research and regulatory and control activities of ARS.

C. Emergency Programs Staff. Responsible for developing and administering civil defense emergency programs concerning the protection of the Nation's crop and livestock industries with respect to functions listed under IIA 11 above.

D. Legislation and Special Assignments Staff. Responsible for advising and assisting the Administrator on matters relating to the ARS legislative programs, committee management, and secretarial and congressional correspondence.

VII. General responsibilities of Deputy Administrators and Division Directors.

The Deputy Administrators and, through them, the Division Directors have the following general responsibilities:

A. Responsibility to the Administrator. Keeping the Administrator advised with respect to major problems and developments and consulting with him, or in his absence, the Acting Administrator, before taking actions which involve policy questions or major questions involving relationships with other Federal agencies, other agencies of this Department, or State agencies.

B. Responsibility for Coordination of Policies and Operations. Consulting and cooperating with appropriate officials when their activities relate to, affect, or are affected by, the work of other organizational units of the Service, and assuring the coordination of such activities with such other organizational units in order to achieve maximum unity and effectiveness of ARS operations.

C. Responsibility for Efficient Operation. Assuring the efficient administration of work assigned to them and the fullest possible benefit to the public for the funds expended. To this end, they shall provide for the periodic review of programs and operations as required by 5 U.S.C. 1151.

VIII. Specific responsibilities of Deputy Administrators.

Deputy Administrators are responsible (1) for assisting and acting for and as the Administrator in the overall planning and administration of all programs and activities of ARS, (2) for approval of line projects within their respective areas, and (3) for directing and coordinating the overall program within their respective areas as indicated in A through E below.

A. Deputy Administrator, Farm Research. The Divisions and Staff offices listed below report to the Deputy Administrator, Farm Research. Working together under the leadership of the Deputy Administrator, Farm Research, Directors of these Divisions, either directly or in cooperation with Federal, State,

public, and private agencies as appropriate, plan, organize, coordinate, and direct a national program of farm research with respect to functions listed under II A 2, 3, 5, and 14 above.

Agricultural Engineering Research Division
Animal Disease and Parasite Research Division
Animal Husbandry Research Division
Crops Research Division
Entomology Research Division
Soil and Water Conservation Research Division
Biometrical Services Staff
Radiological Safety Staff

B. Deputy Administrator, nutrition, consumer, and industrial use research. The following divisions and staff office report to the Deputy Administrator, Nutrition, Consumer, and Industrial Use Research. Working together under the leadership of the Deputy Administrator, Nutrition, Consumer, and Industrial Use Research, directors of these divisions, either directly or in cooperation with Federal, State, public, and private agencies as appropriate, plan, organize, coordinate, and direct a national program of research and development to provide new, wider, and more effective uses for agricultural products and by-products with respect to functions listed under IIA 2 and 3 above.

Clothing and Housing Research Division
Consumer and Food Economics Research Division
Eastern Utilization Research and Development Division
Human Nutrition Research Division
Northern Utilization Research and Development Division
Southern Utilization Research and Development Division
Western Utilization Research and Development Division
Product and Process Evaluation Staff

C. Deputy Administrator, Regulatory and Control. The following divisions report to the Deputy Administrator, Regulatory and Control. Working together under the leadership of the Deputy Administrator, Regulatory and Control, directors of these divisions, either directly or in cooperation with Federal, State, public, and private agencies as appropriate, plan, organize, coordinate, and direct a national regulatory and control program with respect to functions listed under IIA 3, 4, 6, 7, 10, 13 and 15 above.

Animal Disease Eradication Division
Animal Inspection and Quarantine Division
Meat Inspection Division
Pesticides Regulation Division
Plant Pest Control Division
Plant Quarantine Division

D. Deputy Administrator, Research Planning and Coordination. The Deputy Administrator, Research Planning and Coordination, has responsibility for reviewing and concurring in all line projects in the Department. The following staff offices report to the Deputy Administrator, Research Planning and Coordination, and assist him in providing for the coordination of research activities of the Department and in providing special assistance to the Administrator in planning research programs with respect to functions listed under IIA 1 and 8 above.

Research Advisory Committee Staff
Central Project Office

E. Deputy Administrator, Administrative Management. The Deputy Administrator, Administrative Management, has servicewide responsibility for administrative management, including policy formulation, program development and effectiveness of operations. The Administrative Services Division is responsible for the acquisition and disposition of certain lands with respect to the functions listed under IIA 12 above. The Director or Acting Director of the Administrative Services Division is authorized to make and execute grants under the provisions of Public Law 85-934 with respect to the function assigned under IIA 18 above. The following Divisions and staff report to the Deputy Administrator, Administrative Management, and assist him in formulating, directing, coordinating and integrating the overall administrative management activities to meet requirements of ARS programs.

Administrative Services Division
Program Examination and Budget Development Division
Finance Division
Personnel Division
Operations Analysis and Systems Development Staff
Field Administrative Divisions (4)
Division of Operations, Agricultural Research Center

The Deputy Administrator, Administrative Management, is also specifically responsible for:

1. Administrative functions on behalf of the Secretary of Agriculture relating to the acquisition and administration of patent rights.

2. The execution of cooperative agreements and Master Memoranda of Understanding; all agreements between ARS and another agency of the Department or with another agency of the Federal Government; and all agreements which would require signature by more than one Deputy Administrator.

3. Approval of attendance at national meetings.

4. Approval of restricted categories of purchases as required by Department regulations.

Done at Washington, D.C., this 8th day of November 1963.

B. T. SHAW,
Administrator, Agricultural
Research Service.

[F.R. Doc. 63-11962; Filed, Nov. 13, 1963;
8:47 a.m.]

Office of the Secretary MICHIGAN

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Michigan a natural disaster has caused a need for agricultural credit not readily available

from commercial banks, cooperative lending agencies, or other responsible sources.

MICHIGAN

Lenawee.

Monroe.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after December 31, 1964, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 7th day of November 1963.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 63-11928; Filed, Nov. 13, 1963;
8:46 a.m.]

OKLAHOMA

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Oklahoma a natural disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

OKLAHOMA

Johnston.
Latimer.
Le Flore.

Marshall.
Sequoyah.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after December 31, 1964, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 7th day of November 1963.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 63-11929; Filed, Nov. 13, 1963;
8:46 a.m.]

TEXAS

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Texas a natural disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

TEXAS

Bastrop.
Ellis.
Fayette.

Lee.
Navarro.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1964, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 7th day of November 1963.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 63-11930; Filed, Nov. 13, 1963;
8:46 a.m.]

DEPARTMENT OF COMMERCE

Bureau of the Census

FOOD AND KINDRED PRODUCTS ET AL.

Annual Surveys in Manufacturing Area

Notice is hereby given that the Bureau of the Census is considering a proposal to continue or initiate the annual surveys listed below for the year 1963 and for each year thereafter, under the authority of Title 13, United States Code, sections 181, 224, and 225 approved August 31, 1954. These surveys, most of which have been conducted for many years, are significant in the manufacturing area and on the basis of information and recommendations received by the Bureau of the Census, the data have significant application to the needs of the public and industry and are not available from non-Governmental or other Governmental sources.

The establishments covered by these surveys directly account for the bulk of all manufacturing employment. The information to be developed from these surveys is necessary to an adequate measurement of total industrial production. Government agencies need data on the output of these industries. Manufacturers in the industries involved, as well as their suppliers and customers and the general public, have all requested such data in the interest of business efficiency and stability.

Such surveys, if conducted, shall begin not earlier than 30 days after publication of this notice in the FEDERAL REGISTER.

Report forms in most instances furnishing data on shipments and/or production and in some instances on stocks, unfilled orders, orders booked, consumption, etc., will be required of all or a sample of establishments engaged in the production of the items covered by the following list of surveys. The surveys have been arranged under major group headings shown in the revised Standard Industrial Classification Manual (1957 edition) promulgated by the Bureau of the Budget for the use of Federal statistical agencies.

MAJOR GROUP 20—FOOD AND KINDRED PRODUCTS

Salad dressings.
Prepared animal feeds.
Confectionery.

MAJOR GROUP 22—TEXTILE MILL PRODUCTS

Stocks of wool (as of Jan. 1, 1964).
Cotton and synthetic woven goods finished.
Narrow fabrics.
Knit cloth for sale.
Woolen and worsted machinery activity.
Yarn production.
Rugs, carpets, and carpeting.

MAJOR GROUP 23—APPAREL AND OTHER FIN- ISHED PRODUCTS MADE FROM FABRICS AND SIMILAR MATERIALS

Gloves and mittens.
Apparel.
Brassieres, corsets, and allied garments.
Sheets, pillowcases, and towels.

MAJOR GROUP 24—LUMBER AND WOOD PRODUCTS, EXCEPT FURNITURE

Hardwood plywood.
Softwood plywood.
Softwood veneer.
Red cedar shingles.
Lumber.

MAJOR GROUP 25—FURNITURE

Office furniture.

MAJOR GROUP 26—PAPER AND ALLIED PRODUCTS

Pulp, and detailed grades of paper and board.

MAJOR GROUP 28—CHEMICALS AND ALLIED PRODUCTS

Sulfuric acid.
Industrial gases.
Inorganic chemicals.
Pharmaceutical preparations, except biologicals.

MAJOR GROUP 30—RUBBER AND MISCELLANEOUS PLASTICS PRODUCTS

Plastics products.

MAJOR GROUP 32—STONE, CLAY, AND GLASS

Pressed and blown glassware.
Fibrous glass.

MAJOR GROUP 33—PRIMARY METAL INDUSTRIES

Steel mill products.

MAJOR GROUP 34—FABRICATED METAL PRO- DUCTS, EXCEPT ORDNANCE, MACHINERY, AND TRANSPORTATION EQUIPMENT

Aluminum foil, converted.
Steel power boilers.
Heating and cooking equipment.

MAJOR GROUP 35—MACHINERY, EXCEPT ELECTRICAL

Internal combustion engines.
Tractors.
Farm machines and equipment.
Mining machinery and equipment.
Vending machines.
Air-conditioning and refrigeration equipment.
Office, computing, and accounting machines.
Pumps and compressors.

MAJOR GROUP 36—ELECTRICAL MACHINERY, EQUIPMENT, AND SUPPLIES

Radios, television, and phonographs.
Motors and generators.
Wiring devices and supplies.
Switchgear, switchboard apparatus, relays and industrial controls.
Selected electronic and associated products.
Electric housewares.
Electric lighting fixtures.

MAJOR GROUP 38—PROFESSIONAL, SCIENTIFIC, AND CONTROLLING INSTRUMENTS; PHOTO- GRAPHIC AND OPTICAL GOODS; WATCHES AND CLOCKS

Selected instruments and related products.
Atomic energy products and services.

The following list of surveys represents annual counterparts of monthly,

quarterly, and semiannual surveys and will cover only those establishments which are not canvassed or do not report in the more frequent survey. Accordingly, there will be no duplication in reporting. The content of these annual reports will be identical with that of the monthly, quarterly, and semiannual reports except for Construction Machinery which will additionally call for data on shipments of power cranes and shovels, concrete mixers, and attachments for contractors' off-highway type tractors. Also, reports on man-made fiber, silk, woolen and worsted fabrics, on finishing plants, and on piece goods inventories listed below will call for information relating to the monthly fluctuations of stocks and unfilled orders for woven fabrics in addition to the annual production data.

MAJOR GROUP 20—FOOD AND KINDRED PRODUCTS

Flour milling products.
Confectionery products.

MAJOR GROUP 22—TEXTILE MILL PRODUCTS

Man-made fiber, silk, woolen and worsted fabrics.
Finishing plant report—broad woven fabrics.
Piece goods inventories and orders.
Broad woven goods (cotton, wool, silk, and synthetic).
Consumption of wool and other fibers, and production of tops and noils.

MAJOR GROUP 25—FURNITURE AND FIXTURES

Mattresses and bedsprings.

MAJOR GROUP 26—PAPER AND ALLIED PRODUCTS

Consumers of wood pulp.
Converted flexible packaging products.

MAJOR GROUP 28—CHEMICALS AND ALLIED PRODUCTS

Superphosphates.
Paint, varnish, and lacquer.

MAJOR GROUP 29—PETROLEUM REFINING AND RELATED INDUSTRIES

Asphalt and tar roofing and siding products.

MAJOR GROUP 30—RUBBER AND MISCELLANEOUS PLASTICS PRODUCTS

Rubber.

MAJOR GROUP 31—LEATHER AND LEATHER PRODUCTS

Shoes and slippers.

MAJOR GROUP 32—STONE, CLAY AND GLASS

Glass containers.
Refractories.
Clay construction products.

MAJOR GROUP 33—PRIMARY METAL INDUSTRIES

Nonferrous castings.
Steel forgings.
Iron and steel foundries, blast furnaces, and steel ingot producers.
Magnesium mill products.

MAJOR GROUP 34—FABRICATED METAL PRO- DUCTS, EXCEPT ORDNANCE, MACHINERY, AND TRANSPORTATION EQUIPMENT

Plumbing fixtures.
Steel shipping barrels, drums, and pails.
Closures for containers.
Metal cans.

MAJOR GROUP 35—MACHINERY, EXCEPT ELECTRICAL

Construction machinery.
Metalworking machinery.
Farm pumps.
Fans, blowers, and unit heaters.

**MAJOR GROUP 36—ELECTRICAL MACHINERY,
EQUIPMENT, AND SUPPLIES**

Electric lamps.
Fluorescent lamp ballasts.

**MAJOR GROUP 37—TRANSPORTATION
EQUIPMENT**

Complete aircraft and aircraft engines.
Backlog of orders for aircraft, space vehicles, missiles, engines, and selected parts.
Aircraft propellers.
Truck trailers.

The Annual Survey of Manufactures and those surveys listed above which furnish data substitutable for data usually collected in the Census of Manufactures are additionally considered a part of the 1963 Census of Manufactures as provided for by Title 13, United States Code, Section 131. The 1963 Census of Manufactures report forms have been modified to recognize those annual reports as the source for these Census data.

A survey of Research and Development costs will also be conducted. The data to be obtained will be limited to total research and development costs of work performed by the company, total cost of research and development work performed for the Federal Government, and, for comparative purposes, total net sales and receipts, and total employment of the company.

Copies of the proposed forms are available on request to the Director, Bureau of the Census, Washington 25, D.C.

Any suggestions or recommendations concerning the subject matter of these proposed surveys should be submitted in writing to the Director of the Census within 30 days after the date of publication and will receive consideration.

Dated: October 30, 1963.

RICHARD M. SCAMMON,
Director.

[F.R. Doc. 63-11940; Filed, Nov. 13, 1963;
8:47 a.m.]

DEPARTMENT OF DEFENSE**Office of the Secretary of Defense****SECRETARIES OF MILITARY
DEPARTMENTS****Delegation of Authority To Convey Interest in Real Property in Connection With the Widening of Public Highways**

The Secretary of Defense approved the following November 5, 1963:

Pursuant to the authority vested in the Secretary of Defense by section 133(d) of title 10, United States Code, there is hereby delegated to the Secretaries of the military departments, with authority to redelegate as appropriate, the authority vested in the Secretary of Defense by Public Law 608, 86th Congress to convey interests in real property, to determine the conditions upon which such conveyances should be made so as to protect the interests of the United States,

and to take any other action required in connection with such conveyances.

MAURICE W. ROCHE,
Administrative Secretary.

[F.R. Doc. 63-11931; Filed, Nov. 13, 1963;
8:46 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-135]

**WALTER REED ARMY MEDICAL
CENTER****Notice of Issuance of Facility License
Amendment**

Please take notice that the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 2, set forth below, to Facility License No. R-85. The license authorizes Walter Reed Army Medical Center to operate its Atomic International Model L-54 homogeneous solution type nuclear reactor, located on the Walter Reed Army Medical Center site in Washington, D.C. The amendment authorizes the use of foil materials as threshold detectors in the experimental facilities of the reactor, as described in the licensee's applications for license amendment dated May 28, 1963 and October 16, 1963:

The Commission has found that:

(1) Operation of the reactor in accordance with the license, as amended, will not present undue hazard to the health and safety of the public and will not be inimical to the common defense and security;

(2) The application for amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

(3) Prior public notice of proposed issuance of this amendment is not necessary in the public interest since operation of the reactor in accordance with the license, as amended, does not involve significant hazards considerations different from those previously evaluated.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's regulation (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) a related hazards analysis prepared by the Test and Power Reactor Safety Branch of the Division of Licensing and Regulation and (2) the licensee's applications for license amendment dated May 28, 1963 and October 16, 1963 which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (1)

above may be obtained at the Commission's Public Document Room, or upon request, addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Bethesda, Md., this 4th day of November 1963.

For the Atomic Energy Commission.

SAUL LEVINE,
*Chief, Test and Power Reactor
Safety Branch, Division of
Licensing and Regulation.*

[License No. R-85; Amdt. No. 2]

License No. R-85, as amended, issued to Walter Reed Army Medical Center, is hereby amended in the following respects.

1. Paragraph 3(B) is revised as follows:

"B. Pursuant to the Act and Title 10, CFR, Chapter I, Part 70, 'Special Nuclear Material,' (1) to receive, possess and use up to 1.325 kilograms of contained uranium-235 in connection with operation of the reactor, and (2) to use in the reactor as encapsulated threshold detectors the thirty (30) grams each of U-235 and Pu licensed by Special Nuclear Material License SNM-472, as amended."

2. A new paragraph 3(D) is added as follows:

"D Pursuant to the Act and Title 10, CFR, Chapter I, Part 40, 'Licensing of Source Material,' to use in the reactor as encapsulated neutron flux threshold detectors the one pound of uranium licensed by Source Material License SUB-603, as amended."

3. In addition to the activities previously authorized by the Commission in License No. R-85, as amended, Walter Reed Army Medical Center is authorized to use foil materials as threshold detectors in the experimental facilities of the reactor as described in the application amendments dated May 28, 1963 and October 16, 1963.

This amendment is effective as of the date of issuance.

Date of issuance: November 4, 1963.

For the Atomic Energy Commission.

SAUL LEVINE,
*Chief, Test and Power Reactor
Safety Branch, Division of Licensing
and Regulation.*

[F.R. Doc. 63-11902; Filed, Nov. 13, 1963;
8:45 a.m.]

[Docket No. 50-213]

**CONNECTICUT YANKEE ATOMIC
POWER CO.****Notice of Application for Construction
Permit and Facility License**

Please take notice that Connecticut Yankee Atomic Power Company, Selden Street, Berlin, Connecticut, pursuant to section 104b. of the Atomic Energy Act of 1954, as amended, has filed an application for a construction permit and facility license to authorize construction and operation of a pressurized water nuclear reactor having a gross electrical capacity of 490 megawatts. The proposed reactor is to be located at the applicant's site in the town of Haddam, Connecticut, on the east bank of the Connecticut River, approximately 21 miles south-southeast of Hartford and 25 miles northeast of New Haven, Connecticut.

The earliest and latest estimated dates for completion of construction of the reactor are September 1, 1966, and June 30, 1967, respectively.

A copy of the application is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 30th day of October 1963.

For the Atomic Energy Commission.

ROBERT H. BRYAN,
Chief, Research and Power Re-
actor Safety Branch, Division
of Licensing and Regulation.

[F.R. Doc. 63-11903; Filed, Nov. 13, 1963;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 14813; Order E-20170]

AMERICAN AIRLINES, INC., ET AL.

Order Amending Order

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 7th day of November 1963.

Family fares for services other than first-class proposed by American Airlines, Inc., Braniff Airways, Inc., Continental Air Lines, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., National Airlines, Inc., Northwest Airlines, Inc., Trans World Airlines, Inc., United Air Lines, Inc.; Docket No. 14813.

By Order No. E-20099 adopted October 16, 1963, the Board suspended various tariff proposals relating to family fares, and instituted an investigation of these proposals, as well as an investigation of the first-class family fares presently offered in domestic service. In addressing ourselves to the problem of an interim competitive measure, we noted in footnote 4 of that order that " * * * the current competitive situation between the several classes of service might be eased materially, at least for an interim period, by providing that the same dollar fare produced by the first-class family fare would also apply to family members traveling in the lower classes of service." A question of interpretation has arisen as to this footnote. The footnote should be construed consistent with the meaning that a family group could ride in a class of service other than first-class for the same total dollar amount applicable under existing tariffs for the first-class family plan. (The footnote is not intended to mean that the head of the family would pay the full fare for the class of service used, and the accompany family members would pay the discounted rate based on first-class fares.) For the purpose of clarification, we will amend the footnote accordingly. However, of course, any such tariff proposals would be subject to the normal complaint procedures as provided in the Federal Aviation Act of 1958 and the Board regulations.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof:

It is ordered, That:

1. Footnote 4 appearing on page 3 of Order No. E-20099 is amended to read: "In this regard, we would note that the current competitive situation between the several classes of service might be eased materially, at least for an interim period, by providing that a family group could ride in a class of service other than first-class for the same total dollar amount applicable under existing tariffs for the first-class family plan.";

2. Footnote 2 appearing on page 2 of Order No. E-20099 is deleted;

3. A copy of this order be filed with the carriers' tariffs and be served upon all the domestic trunkline and local service carriers of the United States, which are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.¹

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 63-11941; Filed, Nov. 13, 1963;
8:47 a.m.]

[Docket No. 14838]

THRIFT CLASS FARE INVESTIGATION

Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled proceeding is assigned to be held on December 6, 1963, at 10:00 a.m., e.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Leslie G. Donahue.

Dated at Washington, D.C., November 8, 1963.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 63-11943; Filed, Nov. 13, 1963;
8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 14964; FCC 63M-1216]

BEAMON ADVERTISING, INC.

Statement and Order After Conference

In re application of Beamon Advertising, Incorporated, Daingerfield, Texas, Docket No. 14964, File No. BP-14359; for construction permit.

At today's conference it was:

1. Held by the Hearing Examiner that the new issues designated by the Review Board in its Memorandum Opinion and Order released October 14, 1963 (FCC 63R-467) are sufficiently informative, in light of the accompanying opinion, to enable the applicant adequately to meet its burden (see on procedural point Star Broadcasting Corp. (WFLS), 24 RR 297, 298);

2. Directed that the following schedule govern:

¹ Murphy, Vice Chairman, and Minetti, Member of the Board, not participating.

a. Applicant to give notice of taking depositions, December 4, 1963

b. Applicant to furnish exhibits, December 16, 1963

c. Receipt of notification of exhibit-sponsors desired for cross-examination, December 20, 1963

d. Hearing, Tuesday, January 7, 1963 at 10 a.m., in the offices of the Commission, Washington, D.C.

So ordered, This 4th day of November 1963.

Released: November 5, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-11944; Filed, Nov. 13, 1963;
8:47 a.m.]

[Docket Nos. 15210, 15211; FCC 63M-1220]

CAPITOL TELEVISION CO., INC. (KVUE) ET AL.

Order Scheduling Hearing

In re applications of Capitol Television Company, Inc. (KVUE), Sacramento, California, Docket No. 15210, File No. BRCT-486, for renewal of broadcast license; Charles L. Bowman, Foster A. Bullock, Jack F. Matraga and Irving J. Schwartz d/b as Camellia City Telecasters, Sacramento, California, Docket No. 15211, File No. BPCT-3140, for construction permit for New Television Broadcast Station.

It is ordered, This 5th day of November 1963, that Basil P. Cooper will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence at 10:00 a.m., December 18, 1963, in Washington, D.C.; that the initial prehearing conference in the proceeding will be convened by the presiding officer at 10:00 a.m., November 26, 1963, in Washington, D.C.; and that counsel for all parties to the proceeding, at the time of their appearance at this conference, will be prepared to discuss to the fullest extent applicable, in the light of the governing issues, all of the pertinent points enumerated in § 1.111 of the Commission's rules of practice and procedure.

Released: November 6, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-11945; Filed, Nov. 13, 1963;
8:47 a.m.]

[Docket No. 15214]

ROSS M. GOLDSBERRY

Order To Show Cause

In the matter of Ross M. Goldsberry, Costa Mesa, California, Docket No. 15214; order to show cause why there should not be revoked the license for Radio Station 11W3461 in the Citizens Radio Service.

The Commission, by the Chief, Safety and Special Radio Services Bureau, under delegated authority, having under consideration the matter of certain alleged violations of the Commission's

rules in connection with the operation of the above-captioned station;

It appearing, that, pursuant to § 1.76 of the Commission's rules, written notice of violation of the Commission's rules was served upon the above-named licensee at his address of record as follows: "Letter dated July 26, 1963, alleging violation of § 19.33 of the Commission's rules."

It further appearing, that said licensee did not reply to such communication or to a follow-up letter dated August 16, 1963, also mailed to the licensee at his address of record; and

It further appearing, that, in view of the foregoing, the licensee has repeatedly violated § 1.76 of the Commission's rules:

It is ordered, This 8th day of November 1963, pursuant to section 312 (a) (4) and (c) of the Communications Act of 1934, as amended, and § 0.291(b) (8) of Part 0 of the Commission's rules, that the said licensee show cause why the license for the above-captioned radio station should not be revoked, and appear and give evidence in respect thereto at a hearing to be held at a time and place to be specified by subsequent order:

And it is further ordered, That the Secretary send a copy of this Order by Certified Mail—Return Receipt Requested to the said licensee at his last known address of 2625 "C" Elden Street, Costa Mesa, California.

Released: November 8, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-11946; Filed, Nov. 13, 1963;
8:47 a.m.]

[Docket No. 15184; FCC 63M-1225]

JERRELL A. SHEPHERD AND MOBERLY BROADCASTING CO. (KNCM)

Order Continuing Hearing

In re application of Jerrell A. Shepherd, tr/as Moberly Broadcasting Company (KNCM), Moberly, Missouri, Docket No. 15184, File No. BP-15256; for construction permit to make changes in antenna and ground systems.

Pursuant to agreement of counsel arrived at during the prehearing conference in the above-styled proceeding held on this date: *It is ordered*, This 6th day of November 1963, that the hearing presently scheduled to commence on December 6, 1963, is continued to February 4, 1964, at 10 a.m., in Washington, D.C.

Released: November 7, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-11947; Filed, Nov. 13, 1963;
8:47 a.m.]

[Docket No. 15115; FCC 63M-1227]

NORTHLAND RADIO CORP. (KWEB)

Order Continuing Hearing

In re application of Northland Radio Corporation (KWEB), Rochester, Min-

nesota, Docket No. 15115, File No. BP-14979; for construction permit.

The Examiner having under consideration an informal written request, dated November 6, 1963, filed by Northland Radio Corporation (KWEB), requesting a postponement of the hearing herein; and

It appearing, that all other parties have indicated that they have no objection to this request and that they have waived the four-day rule; and

It further appearing, that good cause has been shown for a grant of the relief requested:

It is ordered, This 7th day of November 1963, that the said request is granted and the hearing is postponed from November 25, 1963 to December 3, 1963, at the time and place heretofore specified.

Released: November 7, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-11948; Filed, Nov. 13, 1963;
8:47 a.m.]

[Docket Nos. 15176, 15177; FCC 63M-1228]

RADIO STATIONS WTIF AND WDMG

Order Continuing Hearing

In the matter of revocation of license of Radio Station WTIF, Inc. for Standard Broadcast Station WTIF, Tifton, Georgia, Docket No. 15176. In re application of WDMG, Inc., Docket No. 15177, File No. BR-1709; for renewal of license of Standard Broadcast Station WDMG, Douglas, Georgia.

The Hearing Examiner having under consideration a "Motion for Continuance of Hearing" filed by WTIF, Inc. and WDMG, Inc. in the above-entitled matter on October 28, 1963, and a supplement thereto filed, and

It appearing, that counsel for these stations requests that the hearing now scheduled for December 9, 1963 be continued to January 15, 1964, and

It further appearing, that an understanding in this regard has been reached at a prehearing conference held November 6, 1963, and

It further appearing, that the Commission's Broadcast Bureau has no objection to the granting of this motion with the understanding that the matter will definitely proceed to hearing on January 15, 1964:

It is ordered, This 8th day of November 1963, that the aforesaid motion (with supplement) is granted and that, accordingly, the hearing now scheduled for December 9, 1963, be, and it hereby is, continued to 10:00 a.m., January 15, 1964 in Tifton, Georgia at a specific place in that city to be hereafter announced.

Released: November 8, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-11949; Filed, Nov. 13, 1963;
8:47 a.m.]

[Docket Nos. 15185, 15186; FCC 63M-1222]

SUNBEAM TELEVISION CORP. AND COMMUNITY BROADCASTING CORP.

Order Following Prehearing Conference

In re applications of Sunbeam Television Corporation, Miami, Florida, Docket No. 15185, File No. BRCT-540; for renewal of license of Television Station WCKT, Community Broadcasting Corporation, Miami, Florida, Docket No. 15186, File No. BPCT-3206; for construction permit for New VHF Television Broadcast Station.

Pursuant to agreements reached at a prehearing conference held on November 4 and 5, 1963: *It is ordered*, This 5th day of November 1963, that the following calendar of future procedural steps shall be effected on the dates specified below:

Exchange of Exhibits, December 20, 1963.
Informal Conference, January 7, 1964.
Further Prehearing Conference (10:00 a.m.), January 10, 1964.

Hearing (Continued from December 11, 1963) (10:00 a.m.), January 13, 1964.

Released: November 6, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-11950; Filed, Nov. 13, 1963;
8:47 a.m.]

[Docket Nos. 15212, 15213; FCC 63M-1221]

TVUE ASSOCIATES, INC., AND UNITED ARTISTS BROADCASTING, INC.

Order Scheduling Hearing

In re applications of TVUE Associates, Inc., Houston, Texas, Docket No. 15212, File No. BPCT-3161; United Artists Broadcasting, Inc., Houston, Texas, Docket No. 15213, File No. BPCT-3166; for construction permits for New Television Broadcast Stations.

It is ordered, This 5th day of November 1963, that Sol Schildhouse will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence at 10:00 a.m., December 17, 1963, in Washington, D.C.; that the initial prehearing conference in the proceeding will be convened by the presiding officer at 10:00 a.m., November 26, 1963, in Washington, D.C.; and that counsel for all parties to the proceeding, at the time of their appearance at this conference, will be prepared to discuss to the fullest extent applicable, in the light of the governing issues, all of the pertinent points enumerated in § 1.111 of the Commission's rules of practice and procedure.

Released: November 6, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-11951; Filed, Nov. 13, 1963;
8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI64-98 etc.]

TEXACO INC. ET AL.

Proposed Rates and Charges;
Amendment

OCTOBER 25, 1963.

Texaco Inc., et al., Docket No. RI64-98, et al.; Mallard Petroleum, Inc. (Operator) et al., Docket No. RI64-101.

In the order providing for hearings on and suspension of proposed changes in rates, issued August 22, 1963 and published in the FEDERAL REGISTER August 29, 1963 (F.R. Doc. 63-9307; 28 F.R.-9490), change supplement No. 2 to supplement No. "3" after Docket No. RI64-101, Mallard Petroleum, Inc.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 63-11906; Filed, Nov. 13, 1963;
8:45 a.m.]

[Docket Nos. G-4054 etc.]

MIDLAND NATIONAL BANK ET AL.

Application for Certificates;
Amendment

OCTOBER 28, 1963.

The Midland National Bank, Trustee (formerly (Pete) Lomax and J. P. Lomax), et al., Docket Nos. G-4054, et al.; Gulf Oil Corporation (Operator), et al., Docket No. CI60-412.

In the notice of applications for certificates, abandonment of service and petitions to amend certificates, issued September 16, 1963 and published in the FEDERAL REGISTER September 24, 1963 (F.R. Doc. 63-10103; 28 F.R. 10365), change price to read "16.0¢" in lieu of "18.5¢" after Docket No. CI60-412 listed in the chart.

Protests or petitions to intervene may be filed with Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before November 14, 1963.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 63-11907; Filed, Nov. 13, 1963;
8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

LICENSED BIOLOGICAL PRODUCTS

Notice is hereby given that pursuant to section 351 of the Public Health Service Act, as amended (42 U.S.C. 262), and regulations issued thereunder (42 CFR Part 73), the following establishment license and product license actions have been taken from July 16, 1963 to October 15, 1963, inclusive.

These lists are supplementary to the lists of licensed establishments and

products in effect on April 15, 1963, published on July 2, 1963 in 28 F.R. 6792, as amended by the lists of license actions

taken from April 16, 1963 through July 15, 1963, published on August 7, 1963 in 28 F.R. 8050.

ESTABLISHMENT LICENSES ISSUED

Establishment	License No.	Date
Sterling Drug, Inc., Rensselaer, N.Y.	69	7-18-63
Merced County General Hospital, Blood Bank, Merced, Calif.	360	7-19-63
Blood Bank of Alaska, Inc., Anchorage, Alaska	361	7-19-63
Swiss Serum and Vaccine Institute Berne, Switzerland	21	8- 9-63
Chas. Pfizer & Co., Inc., New York, N.Y.; Terre Haute, Ind.; Philadelphia, Pa.	164	8-22-63
Dome Chemicals, Inc., Allergen Laboratories, New York, N.Y.	362	9- 3-63
Organon, Inc., West Orange, N.J.	363	9-18-63
Bencard Allergy Unit, Beecham Research Laboratories, Ltd., Brentford, Middlesex, England	364	10-10-63

PRODUCT LICENSES ISSUED

Product	Establishment	License No.	Date
Influenza virus vaccine	Sterling Drug, Inc.	69	7-18-63
Anti-Rh typing serum, anti-hr" (anti-e)	Specific Serums, Inc.	343	7-19-63
Do	Michael Reese Research Foundation	113	7-19-63
Citrated whole blood (human)	Merced County General Hospital Blood Bank	360	7-19-63
Do	Blood Bank of Alaska, Inc.	361	7-19-63
Single donor plasma (human)	Irwin Memorial Blood Bank of the San Francisco Medical Society	182	7-29-63
Heparinized whole blood (human)	Blood Bank Foundation	165	7-29-63
Anti-S serum (human)	Spectra Biologicals, Inc.	344	8- 7-63
Anti-k serum (anti-cellano)	do		8- 9-63
Tetanus antitoxin	Swiss Serum and Vaccine Institute Berne	21	8- 9-63
Anti-U serum (anti-Ss)	Michael Reese Research Foundation	113	8-20-63
Citrated whole blood (human)	Chas. Pfizer & Co., Inc.	164	8-22-63
Heparinized whole blood (human)	do	164	8-22-63
Diphtheria toxoid alum precipitated	do	164	8-22-63
Tetanus toxoid alum precipitated	do	164	8-22-63
Tetanus and diphtheria toxoids combined alum precipitated (for adult use)	do	164	8-22-63
Influenza virus vaccine	do	164	8-22-63
Measles virus vaccine, inactivated	do	164	8-22-63
Poliomyelitis vaccine	do	164	8-22-63
Anti-A blood grouping serum	do	164	8-22-63
Anti-B blood grouping serum	do	164	8-22-63
Anti-A,B blood grouping serum	do	164	8-22-63
Absorbed anti-A serum	do	164	8-22-63
Anti-Rh typing serum, anti-Rh ₀ (anti-D)	do	164	8-22-63
Anti-Rh typing serum, anti-Rh ₀ " (anti-CD)	do	164	8-22-63
Anti-Rh typing serum, anti-Rh ₀ " (anti-DE)	do	164	8-22-63
Anti-Rh typing serum, anti-Rh ₀ rh" rh" (anti-CDE)	do	164	8-22-63
Anti-Rh typing serum, anti-rh" (anti-C)	do	164	8-22-63
Anti-Rh typing serum, anti-rh" (anti-E)	do	164	8-22-63
Anti-Rh typing serum, anti-hr" (anti-e)	do	164	8-22-63
Anti-Rh typing serum, anti-hr" (anti-e)	do	164	8-22-63
Anti-Rh typing serum, anti-hr" (anti-V)	do	164	8-22-63
Anti-Rh typing serum, anti-rh" (anti-C*)	do	164	8-22-63
Anti-Di ^a serum (anti-Diego)	do	164	8-22-63
Anti-Fy ^a serum (anti-Duffy)	do	164	8-22-63
Anti-Jk ^a serum (anti-Kidd)	do	164	8-22-63
Anti-Jk ^b serum	do	164	8-22-63
Anti-K serum (anti-Kell)	do	164	8-22-63
Anti-Kp ^a serum (anti-Penney)	do	164	8-22-63
Anti-Kp ^b serum (anti-Rautenberg)	do	164	8-22-63
Anti-k serum (anti-Cellano)	do	164	8-22-63
Anti-Le ^a serum (anti-Lewis)	do	164	8-22-63
Anti-Lu ^a serum (anti-Lutheran)	do	164	8-22-63
Anti-M serum	do	164	8-22-63
Anti-P serum	do	164	8-22-63
Anti-S serum	do	164	8-22-63
Anti-s serum	do	164	8-22-63
Anti-U serum (anti-Ss)	do	164	8-22-63
Anti-human serum	do	164	8-22-63
Reagent red blood cells (human)	do	164	8-22-63
Blood group specific substance A	do	164	8-22-63
Blood group specific substance B	do	164	8-22-63
Single donor plasma (human)	Community Blood and Plasma Service, Inc.	224	8-23-63
Allergenic extracts	Dome Chemicals, Inc.	362	9- 3-63
Allergenic extracts, alum precipitated	do	362	9- 3-63
Anti-human chorionic Gonadotropin serum	Organon, Inc.	363	9-18-63
Fibrinolysin and desoxyribonuclease combined (bovine) with chloramphenicol	Parke, Davis and Co.	1	9-24-63
Heparinized whole blood (human)	Memphis Blood Center, Inc.	240	10- 2-63
Packed red blood cells (human)	do	240	10- 2-63
Single donor plasma (human)	do	240	10- 2-63
Allergenic extracts	Beecham Research Laboratories, Ltd.	364	10-10-63

ESTABLISHMENT LICENSES REVOKED WITHOUT PREJUDICE

Establishment	License No.	Date
Knickerbocker Biologicals, Inc., New York, N.Y.; Philadelphia, Pa.	164	8-22-63
Chas. Pfizer & Co., Inc., New York, N.Y.; Terre Haute, Ind.	297	8-22-63

REVOKED FOR CAUSE

Establishment	License No.	Date
Paterson Blood Bank, Inc., Paterson, N.J.	329	8- 3-63

PRODUCT LICENSES REVOKED WITHOUT PREJUDICE

Product	Establishment	License No.	Date
Diphtheria toxoid alum precipitated	Chas. Pfizer & Co., Inc.	297	8-22-63
Tetanus toxoid alum precipitated	do.	297	8-22-63
Tetanus and diphtheria toxoids combined alum precipitated (for adult use)	do.	297	8-22-63
Influenza virus vaccine	do.	297	8-22-63
Measles virus vaccine, inactivated	do.	297	8-22-63
Poliomyelitis vaccine	do.	297	8-22-63
Citrated whole blood (human)	Knickerbocker Biologicals, Inc.	164	8-22-63
Heparinized whole blood (human)	do.	164	8-22-63
Anti-A blood grouping serum	do.	164	8-22-63
Anti-B blood grouping serum	do.	164	8-22-63
Anti-A, B blood grouping serum	do.	164	8-22-63
Absorbed Anti-A serum	do.	164	8-22-63
Anti-Rh typing serum, anti-Rh ₀ (anti-D)	do.	164	8-22-63
Anti-Rh typing serum, anti-Rh ₀ ' (anti-CD)	do.	164	8-22-63
Anti-Rh typing serum, anti-Rh ₀ " (anti-DE)	do.	164	8-22-63
Anti-Rh typing serum, anti-Rh ₀ rh'rh" (anti-CDE)	do.	164	8-22-63
Anti-Rh typing serum, anti-Rh ₀ (anti-C)	do.	164	8-22-63
Anti-Rh typing serum, anti-rh' (anti-E)	do.	164	8-22-63
Anti-Rh typing serum, anti-rh" (anti-e)	do.	164	8-22-63
Anti-Rh typing serum, anti-rh' (anti-c)	do.	164	8-22-63
Anti-Rh typing serum, anti-rh" (anti-V)	do.	164	8-22-63
Anti-Rh typing serum, anti-rh' (anti-C)	do.	164	8-22-63
Anti-D ₁ serum (anti-Diego)	do.	164	8-22-63
Anti-Fy _a serum (anti-Duffy)	do.	164	8-22-63
Anti-Jk _a serum (anti-Kidd)	do.	164	8-22-63
Anti-Jk _b serum	do.	164	8-22-63
Anti-K serum (anti-Kell)	do.	164	8-22-63
Anti-Kp _a (anti-Pennney)	do.	164	8-22-63
Anti-Kp _b serum (anti-Rautenberg)	do.	164	8-22-63
Anti-k serum (anti-Cellano)	do.	164	8-22-63
Anti-Le _a serum (anti-Lewis)	do.	164	8-22-63
Anti-Lu _a serum (anti-Lutheran)	do.	164	8-22-63
Anti-M serum	do.	164	8-22-63
Anti-P serum	do.	164	8-22-63
Anti-S serum	do.	164	8-22-63
Anti-s serum	do.	164	8-22-63
Anti-U serum (anti-Ss)	do.	164	8-22-63
Anti-human serum	do.	164	8-22-63
Reagent red blood cells (human)	do.	164	8-22-63
Blood group specific substance A	do.	164	8-22-63
Blood group specific substance B	do.	164	8-22-63

REVOKED FOR CAUSE

Citrated whole blood (human)	Paterson Blood Bank, Inc.	329	8-3-63
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Approved:

RODERICK MURRAY,
Director, Division of Biologics Standards, National Institutes of Health,
Public Health Service, U.S. Department of Health, Education, and Welfare.

Approved:

J. STEWART HUNTER,
Assistant to the Surgeon General for Information, Public Health Service,
U.S. Department of Health, Education, and Welfare.

[F.R. Doc. 63-11881; Filed, Nov. 13, 1963; 8:45 a.m.]

SECURITIES AND EXCHANGE
COMMISSION

[File No. 70-4172]

AMERICAN ELECTRIC POWER CO.,
INC.

Proposed Stock Dividend

NOVEMBER 7, 1963.

Notice is hereby given that American Electric Power Company, Inc. ("American"), 2 Broadway, New York 8, New York, a registered holding company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6 and 7 thereof as applicable to the proposed transaction. All interested persons are referred to said declaration, on file at the office of the Commission, for a statement of the proposed transaction which is summarized as follows:

American proposes to declare a stock dividend at the rate of three shares on each 100 shares of its outstanding \$6.50 par value Common Stock. The dividend is to be payable January 10, 1964, to

holders of record on December 9, 1963. American has outstanding 43,808,230 shares of such common stock having an aggregate par value of \$284,753,495. If the maximum number of shares are issued, the stock dividend will involve the issuance of 1,314,247 shares and will bring the total number of outstanding shares to 45,122,477 with an aggregate par value of \$293,296,101.

As of September 30, 1963, the earned surplus of American was \$104,887,692. To effectuate the transaction American proposes to debit such earned surplus with an assigned value of \$35 per share of common stock to be issued as such stock dividend, or a total of not to exceed \$45,998,645; to credit its common stock account with the par value of such stock or a total of not more than \$8,542,606; and to credit Capital Surplus—Premium on Common Stock with the excess of such assigned value over such par value, or a total of not more than \$37,456,039.

No fractional shares of common stock will be issued in connection with the stock dividend. In lieu thereof, each stockholder, during a period of 27 days, may instruct Morgan Guaranty Trust

Company of New York, the distribution agent, (1) to consolidate the fractional interest held into one full share upon payment by such holder of the cost of the additional fractional interest acquired, or (2) to sell such fractional interest on behalf of such holder. Absent any instructions, fractional interests will be sold by the Agent for the holders' accounts. The Agent will execute consolidation and sale requests received from time to time by matching the same upon the basis of the currently prevailing market price of the shares as determined by the Agent in its discretion. The services of the Agent will be rendered without charge to stockholders.

It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

A statement of the fees and expenses to be incurred in connection with the proposed transaction will be supplied by amendment.

Notice is further given that any interested person may, not later than November 26, 1963, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified should the Commission order a hearing in respect thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon declarant at the above-stated address, and proof of service by affidavit (or, if an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof, or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DUBOIS,
Secretary.[F.R. Doc. 63-11919; Filed, Nov. 13, 1963;
8:46 a.m.]

[Filed No. 811-72]

PROTECTED INVESTORS OF AMERICA
TRUST 1937Application for Order Declaring That
Company Has Ceased To Be an Investment Company

NOVEMBER 7, 1963.

Notice is hereby given that an application has been filed pursuant to section 8(f) of the Investment Company Act of 1940 ("Act") for an order of the Commission declaring that Protected In-

vestors of America Trust 1937 ("Applicant") Russ Building, San Francisco 4, California, a unit investment trust, has ceased to be an investment company.

The Applicant is a California corporation organized in 1934 for the purpose of sponsoring a plan of systematic investment in mutual funds and selling certificates thereon. Each certificate represented the establishment of a ten year trust, with Title Insurance and Guaranty Company, now Western Title Insurance Company, as Trustee. The last certificates were issued in 1940 and matured in 1950. In 1950 the Trustee requested that all trust accounts be closed out. As a result of this action all trusts were terminated and the securities or cash delivered with the exception of seventeen accounts totaling \$1,333.37 which amount is being turned over to the State of California under the provisions of the Unclaimed Property Act.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission upon application finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than November 22, 1963, at 5:30 p.m. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after such date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 63-11920; Filed, Nov. 13, 1963;
8:46 a.m.]

FEDERAL RESERVE SYSTEM

SECURITY SAVINGS BANK

Order Approving Acquisition of Bank's Assets

In the matter of the application of Security Savings Bank for approval of

acquisition of assets of Peoples Savings Bank.

There has come before the Board of Governors, pursuant to the Bank Merger Act of 1960 (12 U.S.C. 1828(c)), an application by Security Savings Bank, Marshalltown, Iowa, a member bank of the Federal Reserve System, for the Board's prior approval of its acquisition of assets of and assumption of deposit liabilities in Peoples Savings Bank, Laurel, Iowa. As an incident to such application, Security Savings Bank has applied, under section 9 of the Federal Reserve Act, for the Board's prior approval of the establishment of a branch by that bank at the present location of Peoples Savings Bank. Notice of the proposed acquisition of assets and assumption of deposit liabilities, in form approved by the Board of Governors, has been published pursuant to said Bank Merger Act.

Upon consideration of all relevant material, including the reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Department of Justice on the competitive factors involved in the proposed transaction,

It is hereby ordered, For the reasons set forth in the Board's Statement¹ of this date, that said applications be and hereby are approved, provided that said acquisition of assets and assumption of deposit liabilities and establishment of a branch shall not be consummated (a) within seven calendar days following the date of this order, or (b) later than three months after said date.

Dated at Washington, D.C., this 6th day of November 1963.

By order of the Board of Governors.²

[SEAL]

MERRITT SHERMAN,
Secretary.

[F.R. Doc. 63-11908; Filed, Nov. 13, 1963;
8:45 a.m.]

DENVER U.S. BANCORPORATION, INC.

Order Approving Application To Become a Bank Holding Company

In the matter of the application of Denver U.S. Bancorporation, Inc., for approval of action to become a bank holding company through acquisition of stock of three banks in Colorado (Docket No. BHC-68).

There has come before the Board of Governors, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842) and § 222.4(a)(1) of Federal Reserve Regulation Y (12 CFR 222.4(a)(1)), an application on behalf of Denver U.S. Bancorporation, Inc., Denver, Colorado, for the Board's prior approval of action whereby Applicant

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of Chicago.

² Voting for this action: Vice Chairman Balderston, and Governors Mills, Robertson, and Shepardson. Absent and not voting: Chairman Martin and Governor Mitchell.

would become a bank holding company through acquisition of a minimum of 67 percent of the voting shares of Denver United States National Bank, Denver, Colorado, and Arapahoe County Bank, Littleton, Colorado, and a minimum of 75 percent of the voting shares of Bank of Aurora, Aurora, Colorado.

As required by section 3(b) of the Act, the Board notified the Comptroller of the Currency and the Colorado State Bank Commissioner of the receipt of the application and requested their views. The Comptroller recommended approval of the application. The State Bank Commissioner initially replied that no objection would be interposed to the acquisition proposed, but subsequently advised that the State Banking Board believed that formation of the proposed holding company would be detrimental to the preservation of competition in the field of banking.

Notice of receipt of the application was published in the FEDERAL REGISTER on December 6, 1962 (27 F.R. 12080), which provided an opportunity for submission of comments and views regarding the application. Thereafter, a public hearing, ordered by the Board pursuant to § 222.7(a) of the Board's Regulation Y (12 CFR 222.7(a)), was held before a duly selected Hearing Examiner; proposed findings of fact and conclusions of law were submitted by the parties; and the Hearing Examiner's report and recommended decision was filed with the Board wherein approval of the application was recommended. Exceptions to the Hearing Examiner's report and recommended decision, with supporting brief, were filed by protesting banks, to which Applicant responded. Upon request of protesting banks, opposed by Applicant, oral argument before the Board was held. All of the aforementioned pleadings, together with a statement of the Department of Justice in opposition to the application, were received as part of the record and have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's Statement¹ of this date, that said application be and hereby is approved, provided that the acquisition so approved shall not be consummated (a) within seven calendar days after the date of this order or (b) later than three months after said date.

Dated at Washington, D.C., this 7th day of November 1963.

By order of the Board of Governors.²

[SEAL]

MERRITT SHERMAN,
Secretary.

[F.R. Doc. 63-11932; Filed, Nov. 13, 1963;
8:46 a.m.]

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of Kansas City. Concurring and dissenting statements of Governors Mitchell and Robertson, respectively, also filed as part of the original document and available upon request.

² Voting for this action: Chairman Martin, and Governors Balderston, Mills, Shepardson, and Mitchell. Voting against this action: Governor Robertson.

INTERSTATE COMMERCE COMMISSION

[Notice No. 577]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

NOVEMBER 8, 1963.

The following publications are governed by the Interstate Commerce Commission's general rules of practice including special rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings and pre-hearing conferences will be called at 9:30 a.m., U.S. standard time (or 9:30 a.m., local daylight saving time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 10297 (Sub-No. 15), filed September 25, 1963. Applicant: CAPITOL MOTOR TRANSPORTATION CO., INC., 296 Main Street, Everett, Mass. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass*, in containers, between Providence, R.I., and points in the New York, N.Y., commercial zone, on the one hand, and, on the other, points in Vermont, New Hampshire, New York, New Jersey, Pennsylvania, Ohio, Michigan, Illinois, Indiana, Maryland, Delaware, Kentucky, North Carolina, South Carolina, Georgia, Florida, Virginia, West Virginia, and the District of Columbia.

HEARING: December 20, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Parks M. Low.

No. MC 31600 (Sub-No. 550), filed September 27, 1963. Applicant: P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass. Applicant's attorney: Harry A. Ames, Jr., Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, in tank and hopper type vehicles, and in bags, from Worcester, Mass., to points in Massachusetts, and Rhode Island, and points in Hartford, Middlesex, New Haven, New London, Tolland, and Windham Counties, Conn., and points in Hillsboro, Merrimack, Rockingham, Sullivan, and Cheshire Counties, N.H.

HEARING: December 30, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Louis G. LaVecchia.

No. MC 61403 (Sub-No. 100), filed October 28, 1963. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn. Applicant's attorney: W. C. Mitchell, 140 Cedar Street, New York 6, N.Y. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank and hopper vehicles, from points in Kanawha County, W. Va., to points in North Carolina and South Carolina.

NOTE: Common control may be involved.

HEARING: December 5, 1963, at the New Queen Charlotte Hotel, Charlotte, N.C., before Examiner Charles J. Murphy.

No. MC 61628 (Sub-No. 29), filed September 5, 1963. Applicant: TAMiami FREIGHTWAYS, INC., 1920 Moreland Avenue SE., Atlanta, Ga., 30316. Applicant's attorney: R. J. Reynolds, Jr., Suite 403-411 Healey Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and commodities requiring special equipment), between Macon, Ga., and Warner Robins Airfield Base and Warner Robins, Ga., from Macon over Georgia Highway 11 (U.S. Highway 41) to junction Georgia Highway 247, thence over Georgia Highway 247 to Warner Robins Airfield Base and Warner Robins, and return over the same route, serving no other intermediate points, and without the right to transport traffic originating at Macon through interchange or otherwise and destined to Warner Robins Airfield Base or Warner Robins, or traffic originating at Warner Robins Airfield Base or Warner Robins with final destination at Macon or for interchange at Macon.

NOTE: Common control may be involved.

HEARING: December 18, 1963, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 101.

No. MC 66900 (Sub-No. 27), filed September 23, 1963. Applicant: HOUFF TRANSFER, INCORPORATED, Weyers Cave, Va. Applicant's attorney: James E. Wilson, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper, pulpboard, and fiberboard*, from Frederick, Md., to New Oxford, Pa.

NOTE: Applicant states it intends to tack the certificate requested herein with its present certificates.

HEARING: December 18, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Theodore M. Tahan.

No. MC 71536 (Sub-No. 7), filed September 25, 1963. Applicant: ARROW CARRIER CORPORATION, 50 Moonachie Avenue, Carlstadt, N.J. Applicant's attorney: Robert H. Griswold, Post Office Box 432, Commerce Building, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contam-

inating to other lading), between Kingston, N.Y., and Stroudsburg, Pa., from Kingston, N.Y., over U.S. Highway 209 to Stroudsburg, Pa., and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular-route operations.

HEARING: December 20, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James A. McKiel.

No. MC 95540 (Sub-No. 418) (AMENDMENT), filed April 16, 1962, published in FEDERAL REGISTER issue of October 23, 1963, amended October 29, 1963 and republished, as amended, this issue. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's attorney: Joseph Blackshear, Gainesville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cotton, textiles, and textile products, made of natural or synthetic fibres, metallic yarn, or mixtures thereof, metallic yarn, foodstuffs, canned goods, rugs, carpeting, carpeting products, and manufactured textile products*, between points in Alabama, Georgia, and points in Tennessee on the one hand, and, on the other, points in Arizona and California.

NOTE: Applicant states that it is under common control with Arctic Express, through stock ownership. The purpose of this republication is to include all points in Tennessee rather than the limited area specified in previous publication.

HEARING: Remains as assigned December 16, 1963, at the U.S. Post Office and Courthouse, Chattanooga, Tenn., before Examiner Charles J. Murphy. This assignment is for applicant's presentation only.

No. MC 102616 (Sub-No. 733), filed September 19, 1963. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa. Applicant's attorney: Harold G. Hernly, 711 14th Street NW., Washington 5, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup*, in bulk, in tank vehicles, (1) from Canton, Ohio, to points in New York, Pennsylvania, West Virginia, and Detroit, Mich., and (2) from Penn and Pittsburgh, Pa., to points in New York, Ohio, Virginia, West Virginia, and Detroit, Mich.

HEARING: December 16, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 102616 (Sub-No. 735), filed October 21, 1963. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa. Applicant's attorney: Harold G. Hernly, 711 14th Street NW., Washington 5, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Toluene di isocyanate*, in bulk, in tank vehicles, from Ashtabula, Ohio, to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee,

see, Virginia, West Virginia, and Wisconsin.

HEARING: December 16, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner William A. Royall.

No. MC 106278 (Sub-No. 25), filed October 31, 1963. Applicant: E. B. LAW AND SON, INC., Post Office BOX 1381, Las Cruces, N. Mex. Applicant's attorney: William J. Lippman, 1824 R Street NW., Washington 9, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products, liquid acids, and chemicals*, in bulk, in tank vehicles, between points in New Mexico and points in Arizona.

NOTE: Applicant states it now holds authority to transport (1) refined petroleum products, in bulk, in tank vehicles, except refined liquefied gases, casinghead gasoline and residuary petroleum products, from Artesia, N. Mex., to points in 10 Arizona counties, and (2) petroleum products, in bulk, in tank vehicles, from points in Maricopa and Pima Counties, Ariz., to points in New Mexico. If this application is granted, applicant will surrender its above-described authority to avoid any duplication.

HEARING: December 2, 1963, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Joint Board No. 129.

No. MC 107403 (Sub-No. 497), filed September 9, 1963. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar pitch*, in bulk, in dump vehicles, from Detroit, Mich., to Niagara Falls, N.Y.

NOTE: Common control may be involved.

HEARING: December 17, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner David Waters.

No. MC 107403 (Sub-No. 503), filed October 11, 1963. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup*, in bulk, in tank vehicles, (1) from Canton, Ohio, to points in New York, Pennsylvania, West Virginia, and Detroit, Mich., and (2) from Penn and Pittsburgh, Pa., to points in New York, Ohio, Virginia, West Virginia, and Detroit, Mich.

HEARING: December 16, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 107403 (Sub-No. 509), filed October 30, 1963. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils, vegetable oil shortenings, and vegetable oil products*, in bulk, in tank vehicles, from Columbus, Ohio, to points in Kentucky, Missouri, North Carolina, South Carolina, Virginia, and West Virginia.

HEARING: December 17, 1963, at the Dinkler-Andrew Jackson Hotel, Nash-

ville, Tenn., before Examiner Wm. N. Culbertson.

No. MC 107403 (Sub-No. 510), filed October 30, 1963. Applicant: E. 1, 1963, and republished as amended this BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Toluene diisocyanate*, in bulk, in tank vehicles, from Ashtabula, Ohio, to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin.

HEARING: December 16, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner J. Thomas Schneider.

No. MC 108227 (Sub-No. 3), filed September 24, 1963. Applicant: AVELLA TRUCKMEN, INC., 40-01 19th Avenue, Long Island City, N.Y. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City 6, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boiler tubes, accessories and supplies*, between the plant site of E. B. Giberson at Maspeth, N.Y., and the New York, N.Y., piers, on the one hand, and, on the other, points in Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, and Rhode Island.

HEARING: December 18, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Alton R. Smith.

No. MC 111401 (Sub-No. 143) (AMENDMENT), filed September 6, 1963, published in FEDERAL REGISTER issue October 16, 1963, amended November 1, 1963, and republished as amended this issue. Applicant: GROENDYKE TRANSPORT, INC., Post Office Box 632, Enid, Okla. Applicant's attorney: William D. White, Jr., 2420 Republic National Bank Building, Dallas 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, between points in Texas on and south of U.S. Highway 66 and on and west of U.S. Highway 83, and points in Colorado, Kansas, and New Mexico.

NOTE: Applicant has a pending contract application MC 125020. The purpose of this republication is to change the territorial description from a from-and-to movement to a between movement and to add New Mexico.

HEARING: Remains as assigned December 10, 1963, at the Baker Hotel, Dallas, Tex., before Donald R. Sutherland.

No. MC 111434 (Sub-No. 51), filed September 9, 1963. Applicant: DON WARD, INC., Post Office Box 1488 (mailing address: 241 West 56th Avenue, Denver, Colo.), Durango, Colo. Applicant's attorney: J. Albert Sebald, Equitable Building, Denver 2, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Rapid City, S. Dak., and points within ten (10) miles

thereof, to points in that part of North Dakota on and west of a line beginning at the South Dakota-North Dakota State line and extending along U.S. Highway 281 to junction North Dakota Highway 57, thence along North Dakota Highway 57 to Devil's Lake, N. Dak., and thence north along North Dakota Highway 20 to the North Dakota-Canadian border, and to points in that part of Nebraska east of U.S. Highway 83 and on and west of U.S. Highway 281, and *rejected shipments*, on return.

NOTE: Common control may be involved.

HEARING: December 16, 1963, at the Sheraton Johnson Hotel, Rapid City, S. Dak., before Joint Board No. 309.

No. MC 114019 (Sub-No. 108), filed October 28, 1963. Applicant: MIDWEST South Pulaski Road, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar products*, in bulk, in tank vehicles, from Chicago, Ill., to Milwaukee, Wis.

HEARING: December 10, 1963, at the Midland Hotel, Chicago, Ill., before Joint Board No. 17.

No. MC 114091 (Sub-No. 58), filed September 30, 1963. Applicant: FLEET TRANSPORT CO. OF KY., INC., Fern Valley Road, Post Office Box 13116, Louisville 13, Ky. Applicant's attorney: Robert M. Pearce, 221 1/2 St. Clair Street, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk (1) between points in Alabama; (2) between points in Georgia; (3) between points in Illinois; (4) between points in Indiana; (5) between points in Mississippi; (6) between points in Ohio; (7) between points in Tennessee; and (8) between points in West Virginia.

HEARING: December 30, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner John B. Mealy.

No. MC 114569 (Sub-No. 63), filed September 25, 1963. Applicant: SHAFFER TRUCKING, INC., Elizabethville, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, other than frozen, from Milton, Pa., to points in New York, New Jersey, Delaware, Maryland, Virginia, West Virginia, and the District of Columbia.

NOTE: Applicant states it is authorized to transport canned goods from Milton, Pa. to the destination territory.

HEARING: December 18, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner William E. Messer.

No. MC 114569 (Sub-No. 64), filed October 1, 1963. Applicant: SHAFFER TRUCKING, INC., Elizabethville, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textiles, and textile products*, from Woolrich, Pa., to Ogden, Utah.

HEARING: December 20, 1963, at the offices of the Interstate Commerce Com-

mission, Washington, D.C., before Examiner James Anton.

No. MC 116544 (Sub-No. 43), filed September 5, 1963. Applicant: WILSON BROTHERS TRUCK LINE, INC., Post Office Box 518, Carthage, Mo. Applicant's attorney: Harry Ross, Warner Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods, including fruit juices and vegetable juices and concentrates thereof*, in mixed shipments with canned goods including fruit juices and concentrates thereof, not frozen; (2) *frozen foods, including fruit juices and vegetable juices and concentrates thereof*, in mixed shipments with commodities exempt from economic regulation pursuant to the provisions of section 203(b) (6) of the Interstate Commerce Act; (3) *canned goods, including fruit juices and vegetable juices and concentrates thereof*, not frozen, in mixed shipments with commodities exempt from economic regulation pursuant to the provisions of section 203(b) (6) of the Interstate Commerce Act; (4) *canned goods, including fruit juices and vegetable juices and concentrates thereof*, not frozen; and (5) *frozen foods, including fruit juices and vegetable juices and concentrates thereof*, from points in California and Arizona to points in Colorado, Wyoming, Iowa, Nebraska, Missouri, Kansas, Oklahoma, Arkansas, Louisiana, Mississippi, Georgia, Florida, Alabama, Tennessee, Kentucky, North Dakota, South Dakota, Minnesota, and Wisconsin.

HEARING: December 9, 1963, at the Pickwick Motor Inn, McGee and 10th Street, Kansas City, Mo., before Examiner Samuel Horwich.

No. MC 116929 (Sub-No. 4), filed September 27, 1963. Applicant: RIDINGS' TRUCKING, INC., 3 Honeysuckle Court, Woodbine, Wilmington, Del. Applicant's attorney: H. James Conaway, Jr., Bank of Delaware Building, Wilmington, Del. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, wallboard, sheathing materials, siding, and lumber products*, between Wilmington, Del., on the one hand, and, on the other, Baltimore, Md.; points in Cecil, Kent, Queen Annes, Caroline, Talbot, Harford, Wicomico, Worcester, Somerset, Dorchester, Calvert, St. Mary's, Charles, Prince Georges, Anne Arundel, and Baltimore Counties, Md.; points in Salem, Gloucester, Cumberland, Atlantic, Cape May, Camden, Burlington, Ocean, Mercer, and Hunterdon Counties, N.J.; points in Warren County, N.J., on and south of U.S. Highway 46 and on and west of New Jersey Highway 69; points in Delaware, Chester, Lancaster, York, Lebanon, Berks, Montgomery, Bucks, and Lehigh Counties, Pa.; points in Cumberland County, Pa., on and east of Pennsylvania Highway 34; points in Dauphin County, Pa., on and south of Pennsylvania Highway 325; and points in Northampton County, Pa., on and west of Pennsylvania Highway 115 including Easton, Pa.

NOTE: The proposed operations will be under continuing contract with William M.

Young Company. Applicant states that on return movements it will transport the same commodities on exchange accounts with other lumber companies.

HEARING: December 30, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Walter R. Lee.

No. MC 117119 (Sub-No. 112), filed September 26, 1963. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Fairmont, Hopkins, Winnebago, and Mankato, Minn., to points in Maine, Massachusetts, New Hampshire, Vermont, and Erie, Pa., and Malone, Avon, and Syracuse, N.Y.

HEARING: December 19, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 117119 (Sub-No. 124), filed November 5, 1963. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, dairy products and articles distributed by meat packinghouses*, as described in sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766, from Miami, Okla., and Carthage, Mo., to points in Kansas, Minnesota, Wisconsin, Nebraska, and Iowa.

HEARING: December 9, 1963, at the Pickwick Motor Inn, McGee and 10th Street, Kansas City, Mo., before Examiner Samuel Horwich.

No. MC 117686 (Sub-No. 36), filed October 30, 1963. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 N., Sioux City, Iowa. Applicant's attorney: J. Max Harding, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses* as described in Appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Springhill, La., to points in Iowa, Kansas, Minnesota, Missouri, Nebraska, and South Dakota.

HEARING: December 11, 1963, at the Claridge Hotel, Memphis, Tenn., before Examiner Wm. N. Culbertson.

No. MC 119810 (Sub-No. 5), filed June 19, 1963. Applicant: NEBRASKA-EASTERN EXPRESS, INC., Livestock Exchange Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, articles distributed by meat packinghouses, and frozen foods*, from points in Nebraska, to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, and the District of Columbia.

HEARING: November 18, 1963, at the Federal Office Building, 15th and Dodge Streets, Omaha, Nebr., before Examiner Dallas B. Russell.

No. MC 120387 (Sub-No. 1), filed September 23, 1963. Applicant: DONALD D. ROGERS, Route 3, Aberdeen, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities and empty containers or other incidental facilities* (not specified) in transporting the above-described commodities, between Aberdeen, S. Dak., and Langford, S. Dak., from Aberdeen, S. Dak., over U.S. Highway 12 to junction South Dakota Highway 25, thence north on South Dakota Highway 25 to Langford, S. Dak., and return over the same route, serving the intermediate points of Groton, Andover, and Pierpont, S. Dak.

HEARING: December 20, 1963, at the Sheraton Johnson Hotel, Rapid City, S. Dak., before Joint Board No. 230.

No. MC 123121 (Sub-No. 3), filed September 23, 1963. Applicant: J. P. McLAUGHLIN TRUCKING SERVICE, INC., 300 Communipaw Avenue, Jersey City, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City 6, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Light bulbs and materials and supplies used in the manufacture of light bulbs*, between Jersey City, N.J., on the one hand, and on the other, points in Nassau, Orange, Rockland, Westchester, and Suffolk Counties, N.Y., New York, N.Y., and points in Connecticut and Rhode Island.

NOTE: Applicant states the proposed operations will be under a continuing contract with the Marvel Manufacturing Co.

HEARING: December 17, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Garland E. Taylor.

No. MC 124078 (Sub-No. 77) (AMENDMENT), filed August 16, 1963, published in FEDERAL REGISTER issue of October 16, 1963, republished as amended, this issue. Applicant: SCHWERMANN TRUCKING CO., a corporation, 620 South 29th Street, Milwaukee 46, Wis. Applicant's attorney: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral filler*, between points in Tennessee, Kentucky, Alabama, Arkansas, Georgia, North Carolina, and Mississippi.

NOTE: The purpose of this republication is to delete the entire commodity description as previously published, and substitute therefor the commodity as shown above.

HEARING: Remains as assigned December 18, 1963, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Examiner Wm. N. Culbertson.

No. MC 125390 (Sub-No. 1), filed October 21, 1963. Applicant: J. A. McINTOSH, JR., doing business as McINTOSH BULK HAULERS, 5182 North Gratiot, New Baltimore, Mich. Applicant's attorney: Wilhelmina Boersma, 2850 Penobscot Building, Detroit 26,

Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar pitch*, in bulk, in dump vehicles, from Detroit, Mich., to points in New York.

NOTE: Common control may be involved.

HEARING: December 17, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner David Waters.

No. MC 125592 (Sub-No. 1), filed September 16, 1963. Applicant: LOUIS BUTTON, Mitchell, S. Dak. Applicant's attorney: Harry T. Fuller, Mitchell, S. Dak. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Liquid feed premix*, in bulk and *mineral*, in dry form, (1) from Crete, Nebr., over Nebraska Highway 33 to junction U.S. Highway 6, thence over U.S. Highway 81, thence over U.S. Highway 81 to junction South Dakota Highway 50, thence over South Dakota Highway 50 to junction South Dakota Highway 37, thence over South Dakota Highway 37 to Mitchell, S. Dak., serving no intermediate points, (2) from Crete, Nebr., over Nebraska Highway 33 to junction U.S. Highway 6, thence over U.S. Highway 81, thence over U.S. Highway 18, thence over U.S. Highway 18 to Menno, S. Dak., serving no intermediate points, and (3) from Crete, Nebr., over Nebraska Highway 33 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction U.S. Highway 81, thence over U.S. Highway 81 to South Dakota Highway 50, thence over South Dakota Highway 50 to junction South Dakota Highway 37, thence over South Dakota Highway 37 to junction U.S. Highway 16, thence over U.S. Highway 16 to Rapid City, S. Dak., serving no intermediate points.

HEARING: December 17, 1963, at the Sheraton Johnson Hotel, Rapid City, S. Dak., before Joint Board No. 184.

No. MC 125694, filed September 23, 1963. Applicant: OTTO FELDT, INC., Box 2, Yorktown Heights, N.Y. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City 6, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Limestone*, in bulk and bags, in dump trucks, (1) from Canaan, Conn., to Brooklyn, N.Y., and South Plainfield, N.J., and (2) from Patterson and Wingdale, N.Y., to South Plainfield, N.J.

NOTE: Applicant states the proposed transportation in (1) above will be under a continuing contract with Kentile, Inc., Brooklyn, N.Y.

HEARING: December 19, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James O'D. Moran.

No. MC 125715, filed September 30, 1963. Applicant: NRM TRUCKING CO., a corporation, Post Office Box 205, Morehall Road, Malvern, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel in coil or sheeted form*, from Malvern, Pa., to points in the

United States (excluding points in Alaska and Hawaii), and *rejected steel coils and steel sheets*, on return.

NOTE: Applicant states the proposed service will be under a continuing contract with National Rolling Mills Company.

HEARING: December 31, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Frank R. Saltzman.

No. MC 125720, filed October 1, 1963. Applicant: GERALD I. WALKER, Rural Delivery No. 2, Berlin, Pa. Applicant's attorney: Nathaniel A. Barbera, Somerset, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Potato chips*, from the plant of Snyder's Potato Chips, Inc., at Berlin, Somerset County, Pa., to points in Ohio, West Virginia, and Kentucky, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

HEARING: December 31, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Raymond V. Sar.

No. MC 125724, filed October 2, 1963. Applicant: SINGER TRANSPORT, INC., 376 Delaware Avenue, Jamestown, N.Y. Applicant's attorney: Kenneth T. Johnson, Bank of Jamestown Building, Jamestown, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Antifriction devices, parts thereof, raw materials, and machinery*, between the sites of the plants and warehouses of Marlin-Rockwell Corporation located at points in Chautauqua County, N.Y., and Plainville, Conn., and (2) *antifriction devices and parts thereof*, between the sites of the plants and warehouses of Marlin-Rockwell Corporation located at points in Chautauqua County, N.Y., and Plainville, Conn., on the one hand, and, on the other, points in Massachusetts, Connecticut, and New York.

HEARING: December 17, 1963, at the Hotel Buffalo, Washington and Swan Streets, Buffalo, N.Y., before Examiner Laurence E. Masoner.

No. MC 125762, filed October 21, 1963. Applicant: ALFRED J. CICONI, 100 Vine Street, Ringtown, Pa. Applicant's representative: John W. Frame, Post Office Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic articles*, from Ringtown, Pa., to points in New York and New Jersey; and (2) *materials, supplies, and equipment used in connection with and incidental to the manufacture of plastic articles*, from the above-described destination territory to Ringtown, Pa.

HEARING: December 12, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Bernard J. Hasson, Jr.

MOTOR CARRIERS OF PASSENGERS

No. MC 125706, filed September 25, 1963. Applicant: BALTIMORE-SOLOMONS BUS LINES, INC., Prince Frederick, Md. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought

to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express, mail, and newspapers* in the same vehicle with passengers, between Solomons, Md., and Washington, D.C., (1) from Solomons, Md., over Maryland Highways 2 and 416 to junction Maryland Highways 2 and 416, thence over Maryland Highway 416 to junction Maryland Highway 4 at or near Drury, Md., thence over Maryland Highway 4, or unnumbered highway (Suitland Parkway) to Washington, D.C., and return over the same route, serving all intermediate points, and (2) from Solomons, Md., over Maryland Highways 2 and 416 to junction Maryland Highways 2 and 416, thence over Maryland Highway 2 to junction Maryland Highway 2 and Maryland Highway 422, thence over unnumbered Maryland Highway to junction Maryland Highways 4 and 259, thence over Maryland Highway 4 to Drury, Md., thence over Maryland Highway 4, or unnumbered highway (Suitland Parkway) to Washington, D.C., and return over the same route, serving all intermediate points.

HEARING: December 19, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Joint Board No. 120.

No. MC 125115 (Sub-No. 1) (CORRECTION), filed July 8, 1963, published FEDERAL REGISTER, issue of October 16, 1963, and republished as corrected this issue. Applicant: LOUIS ROSENBAUM, Post Office Box 1183, El Paso, Tex. Applicant's attorney: George A. McAlmon, 609 Bassett Tower, El Paso, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their luggage*, limited to transportation of no more than eight (8) passengers in any one vehicle, in scheduled limousine service between El Paso, Tex., and Los Angeles, Calif., from El Paso over Interstate Highway 10 to Las Cruces, N. Mex., thence over U.S. Highway 80 through Lordsburg, N. Mex., to a junction of U.S. Highways 80 and 86, thence over U.S. Highway 86 to Benson, Ariz., thence over U.S. Highway 80 to Tucson, Ariz., thence over U.S. Highway 84 to Gila Bend, Ariz., thence over U.S. Highway 80 through Yuma, Ariz., to a junction of U.S. Highway 80 and California Highway 98, to Calexico, Calif., thence over U.S. Highway 99 to Indio, Calif., thence over Interstate Highway 10 to Los Angeles, and return over the same routes, serving no intermediate points.

NOTE: The purpose of this correction is to eliminate any reference to nonscheduled door-to-door service, inadvertently included in previous publication.

HEARING: Remains as assigned December 16, 1963, at the Hotel Paso Del Norte, El Paso, Tex., before Examiner Donald R. Sutherland.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN ELECTED

MOTOR CARRIERS OF PROPERTY

No. MC 29886 (Sub-No. 186), filed October 29, 1963. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000

West Sample Street, South Bend, Ind. Applicant's attorney: Charles Pieroni (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New trucks*, in driveway service, from South Bend, Ind., to points in Oregon, Washington, Montana, Idaho, Nevada, Utah, and Colorado, restricted to traffic originating at Allentown, Pa., and received by applicant at South Bend, Ind., as a connecting carrier.

NOTE: Applicant states it has authority to provide this service from Toledo, Ohio. The purpose of the application is to obtain authority to use South Bend, Ind., as an interchange point in order to receive traffic at South Bend which is now being received at Toledo, Ohio. Common control may be involved.

No. MC 43468 (Sub-No. 9) (AMENDMENT), filed October 24, 1963, published FEDERAL REGISTER issue of November 6, 1963, amended and republished, this issue. Applicant: VICTORY MOTOR FREIGHT, INC., 6000 U.S. Route 60, Huntington, W. Va. Applicant's attorney: Charles F. Dodrill, 600 Fifth Avenue, Huntington, W. Va. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Compressed and liquid argon gas*, in cylinders, from Butler, Pa., to Huntington, W. Va.

NOTE: The purpose of this republication is to add the attorney's name.

No. MC 48958 (Sub-No. 67), filed October 28, 1963. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 501 East 51st Avenue, Denver 16, Colo. Applicant's attorney: Morris G. Cobb, Post Office Box 9050, Amarillo, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, commodities in bulk, household goods as defined by the Commission, commodities requiring special equipment, and those injurious and contaminating to other lading), serving the site of the gas products plant of Marathon Oil Company located approximately 27 miles southwest of Hobbs, N. Mex., at a point approximately four (4) miles south of U.S. Highway 62, as an off-route point in connection with applicant's presently authorized regular route operations to, from, and through Hobbs, and Carlsbad, N. Mex.

NOTE: Common control may be involved.

No. MC 59098 (Sub-No. 3), filed November 1, 1963. Applicant: KNAPP'S EXPRESS, INC., 37 Emerson Street, Ridgefield Park, N.J. Applicant's attorney: Bernard F. Flynn, Jr., York-Flynn Building, East Blackwell Street, Dover, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between the terminal of Knapp's Express, Inc., at Ridgefield Park, N.J., on the one hand, and on the other, points in Union, Hudson, Essex, Bergen, Passaic,

Mercer, Middlesex, Morris, and Somerset Counties, N.J.

No. MC 109478 (Sub-No. 69), filed October 30, 1963. Applicant: WORSTER MOTOR LINES, INC., East Main Road, Rural Delivery No. 1, North East, Pa. Applicant's attorney: William W. Knox, 23 West 10th Street, Erie, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs and such incidental materials or supplies as are used or useful in the distribution, promotion and sale of these products when shipped in mixed truckloads with foodstuffs*, from points in Monroe, Orleans, and Wayne Counties, N.Y., to points in Connecticut, Massachusetts, Lower Peninsula of Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, and West Virginia.

NOTE: Common control may be involved.

No. MC 113312 (Sub-No. 9), filed October 29, 1963. Applicant: LESTER F. MEYER, doing business as PIONEER BULK CARRIERS, 10 Clayton Boulevard, Smyrna, Del. Applicant's representative: Donald E. Freeman, 172 East Green Street, Westminster, Md., 21157. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Exempt horticultural commodities* in the same vehicle with *fertilizer*, from Middletown, Del., and points within five (5) miles thereof, to points in Connecticut, New Jersey, points in New York, on, east and south of New York Highway 7, extending from the Pennsylvania-New York State line near Binghamton, N.Y., to the New York-Vermont State line near Troy, N.Y., to points in Pennsylvania on and east of U.S. Highway 11, extending from the Maryland-Pennsylvania State line near Greencastle, Pa., to the Pennsylvania-New York State line near Binghamton, N.Y., and to points in Virginia east of Chesapeake Bay.

NOTE: Applicant holds authority in Certificate No. MC 113312 (Sub-No. 7) to transport fertilizer to the above described territory.

No. MC 124993 (Sub-No. 2), filed October 30, 1963. Applicant: JAMES LOMAX COVINGTON, Bealeton, Va. Applicant's attorney: Louis Reznick, 5009 Keokuk Street, Washington 16, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Grave vaults*, (1) from Laurel and Rockville, Md., to points in Fauquier, Fairfax, Loudoun, Prince William, Culpeper, Stafford, and Rappahannock Counties, Va., and (2) from Warrenton, Va., to Rockville, Md.

MOTOR CARRIERS OF PASSENGERS

No. MC 2661 (Sub-No. 12), filed September 30, 1963. Applicant: INDIAN TRAILS, INCORPORATED, 109 East Comstock Street, Owosso, Mich. Applicant's attorney: Archie C. Fraser, 1400 Michigan National Tower, Lansing 8, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, mail,*

and *newspapers* in the same vehicle with passengers, between Detroit, Mich., and Port Austin, Mich., from Detroit, Mich., over Michigan Highway 53 to Inlay City, Marlette, Bad Axe, and Port Austin, Mich. (also from junction Michigan Highways 53 and 46, approximately six (6) miles north of Marlette, thence over Michigan Highway 46 to Kingston, Mich., thence over unnumbered highway to Cass City, Mich., thence over Michigan Highway 81 to junction Michigan Highway 53), and return over the same route, serving all intermediate points.

NOTICE OF FILING OF PETITIONS

No. MC-16634 (PETITION FOR WAIVER OF RULE 1.101(e) OF THE GENERAL RULES OF PRACTICE AND PETITION TO REOPEN AND AMEND CERTIFICATE), filed October 24, 1963. Petitioner: STRANG TRANSPORTATION, INC., Elmer, N.J. Petitioner's representative: Charles H. Trayford, 220 East 42d Street, New York 17, N.Y. Petitioner holds a certificate in No. MC 16634 to conduct operations as a *common carrier* by motor vehicle transporting (among other things) grain and animal feeds, over irregular routes, between Philadelphia, Pa., on the one hand, and on the other, points in Delaware and Maryland. Between points in Delaware and Maryland, on the one hand, and on the other, points in Cape May, Cumberland, Atlantic, Salem, Gloucester, Camden, Burlington, Ocean, Mercer, and Monmouth Counties, N.J. By the instant petition, petitioner requests the Commission to waive the provisions of Rule 1.101(e) of the general rules of practice and review the testimony in applicant's predecessor's application of March 30, 1948, and thereafter issue a correct certificate authorizing the transportation of animal and poultry feed, and animal and poultry feed ingredients, or, in the alternative, set this matter for hearing to allow Petitioner an opportunity to present evidence in support of its position that the certificate should be corrected. Any person or persons desiring to participate in this proceeding, may, within 30 days from the date of publication in the FEDERAL REGISTER, file an appropriate pleading.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-8587. Authority sought for control by PETROLEUM MARKETING COMPANY, INC., Post Office Box 433, Purvis, Miss., of MISSISSIPPI CHEMICAL EXPRESS, INC., Post Office Box 1634, Hattiesburg, Miss., and for acquisition by M. D. ALTGELT, 117 Amistad, Corpus Christi, Tex. (Post Office Box 1402, Corpus Christi, Tex.), of control of MISSISSIPPI CHEMICAL EXPRESS, INC., through the acquisition by PETROLEUM MARKETING COMPANY,

INC. Applicants' attorney and representative respectively: Warren Woods, 1111 E Street NW., Washington 4, D.C., and M. D. Altgelt, Box 1402, Corpus Christi, Tex. Operating rights sought to be controlled: *Virgin sulphuric acid*, in bulk, in tank vehicles, as a *contract carrier* over irregular routes, from LeMoyne, Ala., and Baton Rouge, La., to Pontiac, Miss.; *molten sulphur*, in bulk, in tank vehicles, from Pontiac, Miss., to LeMoyne, Ala.; *spent sulphuric acid*, in bulk, in tank vehicles, from Pontiac, Miss., to Baton Rouge, La., RESTRICTION: The operations authorized above are limited to a transportation service to be performed, under a continuing contract, or contracts, with the following shippers: Pontiac Refining Corporation, of Pontiac, Miss., Consolidated Chemical Industries, of LeMoyne, Ala., and Baton Rouge, La.; *spent sulphuric acid*, in bulk, in tank vehicles, from Pontiac, Miss., to the site of the Green & Reedy Fertilizer Plant, located about 3 miles from Franklinton, La., RESTRICTION: The operations authorized immediately above are limited to a transportation service to be performed, under a continuing contract, or contracts, with the Pontiac Eastern Corporation, of Pontiac, Miss.; *liquid sulphur dioxide*, in bulk, in tank vehicles, from the site of the plant of Consolidated Chemical Industries, at Baton Rouge, La., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Tennessee, and Texas, RESTRICTION: The operations authorized herein are limited to a transportation service to be performed, under a continuing contract, or contracts, with Stauffer Chemical Company, Consolidated Chemical Industries Division, of Houston, Tex.; *molten sulphur*, in bulk, in tank vehicles, from Pontiac, Miss., to Baton Rouge, La., RESTRICTION: The operations authorized herein are limited to a transportation service to be performed, under a continuing contract, or contracts, with the following shippers: Consolidated Chemical Industries Division of Stauffer Chemical Company, of Houston, Tex., Pontiac Eastern Corporation, of Corpus Christi, Tex.; *liquid sulphur dioxide*, in bulk, in tank vehicles, from the plant site of Stauffer Chemical Company, Consolidated Chemical Industries Division in Baton Rouge, La., to points in Illinois, RESTRICTION: The operations authorized herein are limited to a transportation service to be performed under a continuing contract, or contracts, with Stauffer Chemical Company, Consolidated Chemical Industries Division, Houston, Tex. PETROLEUM MARKETING COMPANY, INC., has applied for authority to operate as a *contract carrier* in Louisiana, and Mississippi, in No. MC-124444. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8588. Authority sought for control by HEMINGWAY TRANSPORT, INC., 438 Dartmouth Street, New Bedford, Mass., of J. E. FALTIN MOTOR TRANSPORTATION, INC., 515 South Willow Street, Manchester, N.H., and for acquisition by PHILIP HEMINGWAY, also of New Bedford, Mass., of control of

J. E. FALTIN MOTOR TRANSPORTATION, INC., through the acquisition by HEMINGWAY TRANSPORT, INC. Applicants' attorneys: David G. Macdonald, 1000 16th Street NW., Washington 36, D.C., and Kenneth B. Williams, 111 State Street, Boston, Mass., 02109. Operating rights sought to be controlled: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes, between Boston, Mass., and Bangor, Maine, between certain points in New Hampshire, serving all intermediate points; *general commodities*, except dangerous explosives, precious stones, large shipments of money, petroleum products, in bulk, in tank trucks, lumber and forest products, and household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, between Concord, N.H., and Boston, Mass., between Lowell, Mass., and Boston, Mass., between North Chelmsford, Mass., and Boston, Mass., serving all intermediate and certain off-route points; over numerous alternate routes for operating convenience only; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, between New York, N.Y., on the one hand, and, on the other, points in New Jersey within 30 miles of Columbus Circle, New York, N.Y., between Pittsfield, N.H., on the one hand, and, on the other, points in that part of Vermont on and south of U.S. Highway 4, and those in Connecticut, Massachusetts, and Rhode Island; *general commodities*, except those of unusual value, and except dangerous explosives, lumber and forest products, petroleum products in bulk, and household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, between Manchester, N.H., and points within 20 miles of Manchester, on the one hand, and, on the other, points in the *New York, N.Y. commercial zone*, as defined by the Commission in 1 M.C.C. 665, Newark, N.J., Providence, R.I., and points within 10 miles of Providence, Springfield and Worcester, Mass., and points in Massachusetts within 15 miles of each, between Boston, Mass., and points within 20 miles of the State House in Boston, on the one hand, and, on the other, points south of U.S. Highway 302 in Belknap, Carroll, Grafton, Sullivan and Cheshire Counties, N.H.; *malt beverages*, from Troy, N.Y., to Manchester, and Nashua, N.H., from Utica, N.Y., to Manchester, N.H.; *lumber and forest products*, from points in New Hampshire on and south of U.S. Highway 302, except Pittsfield, N.H., to points in Connecticut and Rhode Island, between points in New Hampshire on and south of U.S. Highway 302, on the one hand, and, on the other, points in Newark, N.J., and those in the *New York, N.Y., commercial zone*, supra, between points in New Hampshire, on and south of U.S. Highway 302, except Pittsfield, N.H., on the one hand, and, on the other, points in Massachusetts; *household goods* as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, between points in New Hampshire, on the one hand, and,

on the other, points in Connecticut, Maine, Massachusetts, Vermont, New York, and New Jersey; *petroleum products*, in bulk, in tank trucks, from Beverly, Mass., to Springfield, Vt., from Revere, Mass., to Windsor, Vt., between Boston, Mass., and points within 20 miles of Boston, on the one hand, and, on the other, certain points in New Hampshire, from Providence, R.I., and points within 10 miles of Providence, to certain points in New Hampshire territory, from Dracut, Mass., to certain points in the New Hampshire territory; *bituminous road building materials*, between points in Maine, between points in Connecticut, from Malden and Everett, Mass., to points in New Hampshire, from Providence, R.I., to Hartford, Conn.; *wool, woolen products, and such equipment, materials, and supplies* as are used in the cleaning and scouring of wool, from Boston, Mass., to Branch River and Greystone, R.I., and points in Massachusetts; *petroleum products*, in bulk, in tank vehicles, from Revere, Mass., to Berlin and Whitefield, N.H.; *printed matter* (books, catalogues, magazines, periodicals, and printed sheets), *printing paper, and type*, between the plant site of Blanchard Press, Inc., in Hempstead, L.I., N.Y., and the plant site of the Rumford Printing Company, in Concord, N.H., RESTRICTION: The service authorized herein is restricted against tacking with any other authority held by carrier. HEMINGWAY TRANSPORT, INC., is authorized to operate as a *common carrier* in Maine, Connecticut, Rhode Island, Massachusetts, New Hampshire, New York, New Jersey, North Carolina, Pennsylvania, Delaware, Virginia, Maryland, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8589. Authority sought for purchase by THE AMERICAN TRANSFER COMPANY, 1112 Race Street, Baltimore 30, Md., of the operating rights of JOSEPH A. MEDEIROS, JR., Westport, Mass., and for acquisition by HYA WATNER, Stevenson, Md., of control of such rights through the purchase. Applicants' attorneys: David A. Sutherland, 1120 Connecticut Avenue NW., Washington 36, D.C., and Mary E. Kelley, 10 Tremont Street, Boston 8, Mass. Operating rights sought to be transferred: *Horses* (other than ordinary livestock), and *equipment and paraphernalia* incidental to the transportation, care, and display of such horses, as a *common carrier* over irregular routes, between points in Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, between points in the above-specified States and the boundary of the United States and Canada, through port of entry at Rouse's Point, N.Y. Vendee is authorized to operate as a *common carrier* in Maryland, Virginia, New York, Pennsylvania, West Virginia, Delaware, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8590. Authority sought for merger into NEW YORK & WORCES-

TER EXPRESS, INC., 556-558 Southbridge Street, Worcester 3, Mass., of the operating rights and property of WORCESTER & TAUNTON EXPRESS COMPANY, INC., 556-558 Southbridge Street, Worcester 3, Mass., and for acquisition by ROLAND CASSAVANT and EDNA SANTINI, both also of Worcester, Mass., of control of such rights and property through the transaction. Applicants' representative: George A. Olsen, 69 Tonnele Avenue, Jersey City 6, N.J. Operating rights sought to be merged: *General commodities*, excepting, among others, commodities in bulk, but not excepting household goods, as a *common carrier* over regular routes, between Worcester, Mass., and New Bedford, Mass., between Brockton, Mass., and Taunton, Mass., between Bridgewater, Mass., and Taunton, Mass., between Worcester, Mass., and Gardner, Mass., between Worcester, Mass., and Brockton, Mass., and between Worcester, Mass., and Holyoke, Mass., serving all intermediate and certain off-route points; *brass and brass products*, between Worcester, Mass., and Providence, R.I., serving the intermediate point of Uxbridge, Mass., and the off-route point of Whitinsville, Mass. NEW YORK & WORCESTER EXPRESS, INC., is authorized to operate as a *common carrier* in New York, New Jersey, Connecticut, Massachusetts, and Rhode Island. Application has not been filed for temporary authority under section 210a(b).

NOTE: NEW YORK & WORCESTER EXPRESS, INC., controls WORCESTER & TAUNTON EXPRESS COMPANY, INC., through ownership of capital stock pursuant to authority granted in Docket No. MC-F-7359, decided June 16, 1960.

No. MC-F-8591. Authority sought for merger into GEORGIA HIGHWAY EXPRESS, INC., 2090 Jonesboro Road SE., Atlanta, Ga., 30315, of the operating rights and property of B. C. TRUCK LINES, INC., 2090 Jonesboro Road SE., Atlanta, Ga., 30315, and for acquisition by H. D. WINSHIP, SR., also of Atlanta, Ga., of control of such rights and property through the transaction. Applicants' attorney and representative respectively: Allen Post, Sixth Floor, First National Bank Building, Atlanta, Ga., 30303, and Robert C. Dryden, General Traffic Manager, Georgia Highway Express, Inc., 2090 Jonesboro Road SE., Atlanta, Ga., 30315. Operating rights sought to be merged: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over irregular routes, between LaGrange, Ga., on the one hand, and, on the other, points in Alabama, and between LaGrange, Ga., on the one hand, and, on the other, points in Georgia. GEORGIA HIGHWAY EXPRESS, INC., is authorized to operate as a *common carrier* in Georgia, Tennessee, and Alabama. Application has not been filed for temporary authority under section 210a(b).

NOTE: GEORGIA HIGHWAY EXPRESS, INC., controls B. C. TRUCK LINES, INC., through ownership of capital stock pursuant to authority granted in Docket No. MC-F-7225, decided September 18, 1962.

No. MC-F-8592. Authority sought for purchase by BEATTY MOTOR EXPRESS, INC., Jefferson Avenue Extension, Washington, Pa., of the operating rights and property of NICHOLAS KERNA, doing business as KERNA TRANSFER, Post Office Box 141A Rural Delivery No. 1, Canonsburg, Pa., and for acquisition by ROBERT C. BEATTY, 633 East Beau Street, Washington, Pa., of control of such rights and property through the purchase. Applicants' attorneys: Frank C. Roney, 510 Washington Trust Building, Washington, Pa., and Henry M. Wick, Jr., 1515 Park Building, Pittsburgh, Pa. Operating rights sought to be transferred: *Glassware*, as a *common carrier* over irregular routes, from Pittsburgh, Glenshaw, Washington, and Connellsville, Pa., to Baltimore, Md., and Winchester, Va.; *food products*, from Baltimore, Md., to points in Pennsylvania on and west of U.S. Highway 219, from Pittsburgh, Pa., to Baltimore, Md., and Washington, D.C.; *petroleum products, in containers*, from Curtis Bay, Md., to points in Pennsylvania on and west of U.S. Highway 219; *wire garment hangers*, from Pittsburgh, Pa., to Baltimore, Md., and Washington, D.C.; and *rough steel castings*, from Pittsburgh, Pa., to Baltimore, Md. Vendee is authorized to operate as a *common carrier* in Pennsylvania, New York, West Virginia, Ohio, Maryland, Rhode Island, New Jersey, Kentucky, Delaware, Illinois, Indiana, Vermont, Michigan, Virginia, Connecticut, Massachusetts, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 63-11935; Filed, Nov. 13, 1963;
8:46 a.m.]

[Drouth Order No. 63; Amdt. No. 8]

OKLAHOMA AND TEXAS

Transportation of Hay and Livestock Feed to Disaster Area at Reduced Rates

In the matter of relief under section 22 of the Interstate Commerce Act. Present: Abe McGregor Goff, Vice Chairman, to whom the above-entitled matter has been assigned for action thereon.

It appearing, that due to the drouth conditions existing in the State of Mississippi the Commission issued its Drouth Order No. 63 under section 22 of the Interstate Commerce Act authorizing the railroads subject to the Commission's jurisdiction to transport hay and livestock feed to the disaster area at reduced rates;

And it further appearing, that the United States Department of Agriculture has requested the Commission to enter an order extending the expiration date of Drouth Order No. 63, as amended, from December 31, 1963 to April 30, 1964 and to extend the authority therein granted to include 139 additional counties in the States of Oklahoma and Texas:

It is ordered, That the authority granted in Drouth Order No. 63, as amended, now indicated to expire December 31, 1963, be, and it is hereby, extended to April 30, 1964.

It is further ordered, That Drouth Order No. 63, as amended, be, and it is hereby, further amended to provide that the authority therein granted to establish reduced rates on hay and livestock feed shall also apply, subject to the same terms and conditions, to establish and maintain reduced rates on such commodities to destinations in the counties named below.

It is further ordered, That in all other respects Drouth Order No. 63, as amended, shall remain in full force and effect.

And it is further ordered, That notice to the affected railroads and the general public shall be given by depositing a copy of this order in the Office of the Secretary of the Commission and by filing a copy with the Director, Office of the Federal Register; and that copies be mailed to the Chairman of the Traffic Executive Association-Eastern Railroads, New York, N.Y., the Chairman of the Southern Freight Association, Atlanta, Georgia, the Chairman of the Executive Committee, Western Railroad Traffic Association, Chicago, Illinois, the Traffic Vice-President of the Association of American Railroads, Washington, D.C., and to the President of the American Short Line Railroad Association, Washington, D.C.

Dated at Washington, D.C., this 8th day of November A.D. 1963.

By the Commission, Vice Chairman Goff.

[SEAL]

HAROLD D. McCoy,
Secretary.

Oklahoma, 42 counties, viz.:

Adair.	Latimer.
Atoka.	Le Flore.
Bryan.	Love.
Caddo.	McClain.
Carter.	McCurtain.
Cherokee.	McIntosh.
Choctaw.	Marshall.
Coal.	Mayes.
Comanche.	Murray.
Cotton.	Muskogee.
Craig.	Oklmulgee.
Delaware.	Pittsburg.
Ellis.	Pontotoc.
Garvin.	Pottawatomie.
Grady.	Pushmataha.
Greer.	Rogers.
Harmon.	Seminole.
Haskell.	Sequoyah.
Jackson.	Stephens.
Jefferson.	Tulsa.
Johnston.	Wagoner.

Texas, 97 counties, viz.:

Anderson.	Collin.
Aransas.	Collingsworth.
Atascosa.	Comal.
Bandera.	Comanche.
Bastrop.	Cooke.
Bee.	Coryell.
Bell.	Cottle.
Bexar.	Dallas.
Bosque.	Denton.
Brazos.	De Witt.
Brown.	Dickens.
Burleson.	Donley.
Calhoun.	Duval.
Cass.	Ellis.
Cherokee.	Erath.
Childress.	Falls.

Fannin.
Fayette.
Freestone.
Goliad.
Gonzales.
Grayson.
Grimes.
Guadalupe.
Hall.
Hamilton.
Hardeman.
Hays.
Henderson.
Hill.
Hood.
Hopkins.
Houston.
Jim Wells.
Johnson.
Karnes.
Kaufman.
King.
Lamar.
Lampasas.
LaSalle.
Lavaca.
Lee.
Leon.
Limestone.
Live Oak.
McLennan.
Madison.
Medina.

Menard.
Milam.
Mills.
Montague.
Montgomery.
Motley.
Nacodoches.
Navarro.
Nueces.
Parker.
Rains.
Refugio.
Robertson.
Rockwall.
Rusk.
San Patricio.
San Saba.
Shelby.
Somervell.
Tarrant.
Terrell.
Travis.
Trinity.
Upshur.
Val Verde.
Van Zandt.
Walker.
Washington.
Williamson.
Wilson.
Wise.
Wood.

[F.R. Doc. 63-11952; Filed, Nov. 13, 1963;
8:47 a.m.]

[Notice No. 279]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

NOVEMBER 8, 1963.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1 (c) (8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d) (4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 30073 (Deviation No. 7), JOHNSON FREIGHT LINES COMPANY, INC., 248 Chester Avenue SE., Post Office Box 1918, Atlanta 1, Ga., filed September 13, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: from junction U.S. Highway 27 and Tennessee Highway 61 over Tennessee Highway 61 to junction U.S. Highway 27, approximately 2 miles south of Harriman, and return over the same route, for operating convenience only. The notice indicates that the carrier is

presently authorized to transport the same commodities over a pertinent service route as follows: from Chattanooga, Tenn. over U.S. Highway 41 to Nashville, Tenn., thence over U.S. Highway 31E to junction Kentucky Highway 70, thence over Kentucky Highway 70 to Cave City, Ky., thence over U.S. Highway 31W to Louisville, Ky., thence over U.S. Highway 42 to Cincinnati, and return over the same route.

No. MC 35320 (Deviation No. 10), T.I.M.E. FREIGHT, INC., Post Office Box 1120, Lubbock, Tex., filed October 28, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highway 70 and Interstate Highway 55 over Interstate Highway 55 to junction U.S. Highway 64, thence over U.S. Highway 64 to junction with U.S. Highway 67, at or near Bald Knob, Ark., thence over joint U.S. Highways 64 and 67 to junction of such highways near Beebe, Ark., thence over U.S. Highway 64 to Conway, Ark., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: from Memphis, Tenn., over U.S. Highway 70 to Little Rock, and from Little Rock, Ark., over U.S. Highway 65 to Conway, and return over the same route.

No. MC 42487 (Deviation No. 18), CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, Post Office Box 5138, Chicago, Ill., filed October 30, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: from Indianapolis, Ind., over Interstate Highway 65 to Louisville, Ky., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: from Chicago, Ill., over U.S. Highway 41 to junction U.S. Highway 52, thence over U.S. Highway 52 to Indianapolis, thence over U.S. Highway 31 to junction alternate U.S. Highway 31, thence over alternate U.S. Highway 31 via Columbus, Ind., to Seymour, Ind., thence over U.S. Highway 50 to junction U.S. Highway 31, and thence over U.S. Highway 31 to Louisville, Ky., and return over the same route.

No. MC 42487 (Deviation No. 19), CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, Post Office Box 5138, Chicago, Ill., filed October 28, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: from LaCrosse, Wis., over U.S. Highway 14 to Middleton, Wis., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: from Youngstown, Ohio over U.S. Highway 422 to Cleveland, Ohio, thence over

U.S. Highway 20 to Green Creek, Ohio, thence over Ohio Highway 113 (formerly U.S. Highway 20) via Fremont, Ohio to junction U.S. Highway 20, thence over U.S. Highway 20 to Rockford, Ill., thence over U.S. Highway 51 via Beloit, Wis., to Madison, Wis., thence over U.S. Highway 12 via Tomah, Wis., to St. Paul, Minn. (also from Tomah over U.S. Highway 16 to LaCrosse, thence over U.S. Highway 61 to St. Paul), thence over U.S. Highway 12 to Minneapolis, and return over the same routes.

NOTE: The proposed alternate route was previously covered by a deviation notice which was filed on July 23, 1956 by, and became operative for, Motor Cargo, Inc. The purpose of this deviation notice is to show that operations over the proposed alternate route will be conducted by Consolidated Freightways Corporation of Delaware, the carrier now holding the operating authority previously held by Motor Cargo, Inc.

No. MC 52629 (Deviation No. 25), HUBER & HUBER MOTOR EXPRESS, INC., 970 South Eighth Street, Louisville, Ky., filed October 28, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: between Cincinnati, Ohio and Indianapolis, Ind., over Interstate Highway 74, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: from Indianapolis over U.S. Highway 52 to Cincinnati, and return over the same route.

No. MC 52629 (Deviation No. 26), HUBER & HUBER MOTOR EXPRESS, INC., 970 South Eighth Street, Louisville, Ky., filed October 28, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: from Indianapolis, Ind., over Interstate Highway 74 to Morton, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: from Indianapolis over U.S. Highway 136 to junction U.S. Highway 150, thence over U.S. Highway 150 to Morton, and return over the same route.

No. MC 52629 (Deviation No. 27), HUBER & HUBER MOTOR EXPRESS, INC., 970 South Eighth Street, Louisville, Ky., filed October 28, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: from Charleston, W. Va., over Interstate Highway 77 to Beckley, W. Va., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: from Huntington, W. Va., over U.S. Highway 60 via Charleston to junction U.S. Highway 19, thence over U.S. Highway 19 to Beckley (also, from Charleston over U.S. Highway 119 to Racine, W. Va., and thence over West Virginia Highway 3 to

Beckley), and return over the same route.

No. MC 52629 (Deviation No. 28), HUBER & HUBER MOTOR EXPRESS, INC., 970 South Eighth Street, Louisville, Ky., filed October 28, 1963. Applicant proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: from Charleston, W. Va., over Interstate Highway 77 to Parkersburg, W. Va., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: from Charleston over U.S. Highway 21 via Mineral Wells, W. Va., to Parkersburg, and return over the same route.

No. MC 52629 (Deviation No. 29), HUBER & HUBER MOTOR EXPRESS, INC., 970 South Eighth Street, Louisville, Ky., filed October 28, 1963. Applicant proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: from Cincinnati, Ohio, over Interstate Highway 71 to Louisville, Ky., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: from Cincinnati over U.S. Highway 42 to Louisville, and return over the same route.

No. MC 52629 (Deviation No. 30), HUBER & HUBER MOTOR EXPRESS, INC., 970 South Eighth Street, Louisville, Ky., filed October 28, 1963. Applicant proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: from Cincinnati, Ohio, over Interstate Highway 71 to Columbus, Ohio, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: from Cincinnati over Ohio Highway 3 to Columbus, and return over the same route.

No. MC 71043 (Deviation No. 1), LA PORTE TRANSIT CO., INC., Post Office Box 205, La Porte, Ind., filed October 28, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: from La Porte, Ind., at the junction of U.S. Highway 35 and Indiana Highway 2, over Indiana Highway 2 west to junction U.S. Highway 421, 9 miles west of La Porte, thence over U.S. Highway 421 north to the interchange with the Indiana East-West Toll Road, thence over the Indiana East-West Toll Road to junction U.S. Highway 20 at the Indiana-Illinois State line, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: from La Porte over U.S. Highway 35 to junction unnumbered highway, thence over unnumbered highway to junction U.S. Highway

20, and thence over U.S. Highway 20 to Chicago, and return over the same route.

No. MC 109398 (Deviation No. 1), CHICAGO TRI-CITIES MOTOR FREIGHT, INC., Sixth and River, Rock Island, Ill., filed October 31, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: from Davenport, Iowa, over city streets to junction Interstate Highway 280, thence over Interstate Highway 280 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction Interstate Highway 55, thence over Interstate Highway 55 to junction U.S. Highway 66, thence over U.S. Highway 66 to Chicago, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: from Chicago over U.S. Highway 34 to junction Illinois Highway 92, thence over Illinois Highway 92 via Silvis, Ill., to Moline, Ill., and thence over U.S. Highway 6 to Davenport (also from Moline across the Mississippi River to Bettendorf, Iowa, thence over U.S. Highway 67 to Davenport), and return over the same route.

MOTOR CARRIERS OF PASSENGERS

No. MC 1501 (Deviation No. 141), THE GREYHOUND CORPORATION (EASTERN GREYHOUND LINES DIVISION), 1400 West Third Street, Cleveland 13, Ohio, filed November 7, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over deviation routes as follows: (A) From junction Baltimore-Washington Expressway and approach road to Baltimore Harbor Tunnel over the Tunnel Thruway to junction Interstate Highway 95, thence over Interstate Highway 95 to Junction Interstate Highway 295, thence over Interstate Highway 295 to junction U.S. Highway 13 and the southern approach road to Delaware Memorial Bridge; (B) From Aberdeen, Md., over Maryland Highway 22 to Interstate Highway 95; (C) From Perryville, Md., over U.S. Highway 222 to Interstate Highway 95; (D) From Elkton, Md., over Maryland Highway 279 to Interstate Highway 95; (E) From Glasgow, Del., over Delaware Highway 896 to Interstate Highway 95, and return over the same routes for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers over pertinent service routes as follows: From Philadelphia, Pa., over unnumbered highway to Darby, Pa., thence over U.S. Highway 13 to the Maryland-Virginia State line; From State Road, Del., over U.S. Highway 40 via Aberdeen, Md., to Baltimore, Md., thence over U.S. Highway 1 to Washington, D.C.; From junction U.S. Highway 130 (formerly New Jersey Highway 44) and Bridge Approach Road, over Bridge Approach Road to the Delaware Memorial Bridge, thence over the Delaware Memorial Bridge to junction Delaware Bridge Approach Road, thence over Delaware Bridge Approach Road to junction U.S. Highway 13; and from Baltimore, Md., over city

streets to the Baltimore-Washington Expressway, thence over the Baltimore-Washington Expressway to Washington, D.C., and return over the same routes.

No. MC-84728 (Deviation No. 3), SAFEWAY TRAILS, INC., 820 T Street NE., Washington 18, D.C., filed November 6, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers, and their baggage*, over a deviation route as follows: Between Baltimore, Md., and the Delaware Memorial Bridge, over Interstate Highway 95, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers over pertinent service routes as follows: From New York, N.Y., over U.S. Highway 1 to Washington, D.C., and from New York, N.Y., over U.S. Highway 1 to Trenton, N.J., thence over U.S. Highway 206 to junction U.S. Highway 130, thence over U.S. Highway 130 to Camden, N.J., thence across the Delaware River to Philadelphia, Pa., thence over U.S. Highway 13 to junction U.S. Highway 40, thence over U.S. Highway 40 to Baltimore, Md., thence over U.S. Highway 1 to Washington, D.C., and return over the same routes.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 63-11934; Filed, Nov. 13, 1963;
8:46 a.m.]

[Notice No. 578]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

NOVEMBER 8, 1963.

The following publications are governed by the Interstate Commerce Commission's general rules of practice including special rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings and pre-hearing conferences will be called at 9:30 a.m., U.S. s.t. (or 9:30 a.m., l.d.s.t., if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

The applications immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the special rules of procedure for hearing outlined below:

Special rules of procedure for hearing.

(1) All of the testimony to be adduced by applicant's company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicants' company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be available at

the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statements as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will be at the time of offer, subject to the same rules as if the evidence were produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 110884 (Sub-No. 12), filed November 4, 1963. Applicant: FRANCIS A. AUBREY, 240 Hillside Avenue, Cranford, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City 6, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* (other than commodities in bulk) in tank vehicles, as described in Sections A and C, Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plant site of Armour & Company, located at or near Sterling, Ill., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, the District of Columbia, West Virginia, and Delaware.

NOTE: Applicant states the proposed transportation will be under a continuing contract with Armour & Company.

HEARING: November 18, 1963, at the Midland Hotel, Chicago, Ill., before Examiner Gordon M. Callow.

No. MC 114045 (Sub-No. 121), filed November 4, 1963. Applicant: TRANSCOLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. Applicant's attorney: Carl L. Phinney, 617 First National Bank Building, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat byproducts and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766, from the plant site of Armour & Company, located at Sterling, Ill., to points in Alabama, District of Columbia, Florida, Georgia, Iowa, Maine, Maryland, Nebraska, New Hampshire, North Carolina, South Carolina, Tennessee (except Memphis), Vermont, Virginia, and West Virginia.

HEARING: November 18, 1963, at the Midland Hotel, Chicago, Ill., before Examiner Gordon M. Callow.

No. MC 114115 (Sub-No. 6) (AMENDMENT), published FEDERAL REGISTER, issue of November 6, 1963, as No. 125776, and republished as amended this issue. Applicant: TRUCKWAY SERVICE, INC., 1099 Oakwood, Detroit, Mich. Applicant's attorneys: James R. Stiverson and Herbert Baker, 50 West Broad

Street, Columbus 15, Ohio. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Salt, in bulk, and empty containers or other such incidental facilities* (not specified) used in transporting the above-described commodities, between points in Michigan. RESTRICTION: Applicant states that the proposed operations will be restricted to the transportation of salt that has had a prior movement by rail and/or water.

NOTE: The purpose of this republication is to show that applicant proposes to operate as a contract carrier and to give the docket number as above in lieu of MC 125776 shown in previous publication.

HEARING: November 21, 1963, at the Lewis Cass Building, Lansing, Mich., before Joint Board No. 76, or, if the Joint Board waives its right to participate, before Examiner William J. O'Brien, Jr.

No. MC 125492 (CORRECTION), filed June 28, 1963, published FEDERAL REGISTER issue of October 2, 1963 and republished as corrected this issue. Applicant: TRI-COUNTY ENTERPRISES, INC., 21262 Telegraph Road, Detroit, Mich. Applicant's attorney: Robert A. Sullivan, 1800 Buhl Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt, in bulk, between points in Michigan, limited to the transportation of salt that has had a prior movement by rail and/or water.*

NOTE: The purpose of this correction is to show the correct hearing information.

HEARING: November 21, 1963, at the Lewis Cass Building, Lansing, Mich., before Joint Board No. 76, or, if the Joint Board waives its right to participate, before Examiner William J. O'Brien, Jr.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 63-11936; Filed, Nov. 13, 1963;
8:47 a.m.]

[Notice No. 898]

MOTOR CARRIER TRANSFER PROCEEDINGS

NOVEMBER 8, 1963.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 65952. By order of November 7, 1963, the Transfer Board, on reconsideration, approved the transfer

to John W. Geiselman, II, doing business as Hanover Transfer Co., Hanover, Pa., of Certificates in Nos. MC 68898 and MC 68898 (Sub-No. 5), issued July 15, 1959 and February 2, 1962, respectively, to Raymond L. Geiselman and Dean R. Geiselman, doing business as Hanover Transfer Co., Hanover, Pa., authorizing the transportation over regular routes, of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between specified points in Pennsylvania and Maryland; flowers, over irregular routes, between Hanover, Pa., and Washington, D.C.; and household goods, as defined by the Commission, in a radial movement, between Hanover, Pa., and 20 miles thereof, and points in Delaware, Maryland, Massachusetts, New Jersey, New York, Ohio, Virginia, West Virginia, and the District of Columbia. John M. Cleary, 707 Munsey Building, Washington, 4, D.C., attorney for transferee, and Edwin M. Buchen, 100 Carlisle Street, Hanover, Pa., attorney for transferor.

No. MC-FC 66142. By order of November 6, 1963, the Transfer Board approved the transfer to Blythe Motor Lines, Inc., Sanford, Fla., of Certificates in Nos. MC 115322, MC 115322 (Sub-No. 12), MC 115322 (Sub-No. 15), MC 115322 (Sub-No. 17), MC 115322 (Sub-No. 19), MC 115322 (Sub-No. 20), MC 115322 (Sub-No. 25), MC 115322 (Sub-No. 30), MC 115322 (Sub-No. 31), and that portion of the operating rights remaining in Certificate in No. MC 115322 (Sub-No. 32), after transfer of a portion approved in MC-F 8372, said Certificates having been issued by the Commission August 23, 1962, June 21, 1962, December 27, 1961, July 26, 1962, March 21, 1962, February 5, 1962, May 31, 1963, June 27, 1963, February 19, 1963, and June 11, 1962, respectively, authorizing the transportation of frozen foods, poultry, dressed, fresh or frozen, frozen fruits and frozen vegetables, grape juice and grape juice concentrate, chilled or frozen, frozen citrus products, shrimp cocktail, chilled or frozen, dairy products, frozen eggs, frozen poultry, fresh poultry, fresh poultry, dressed, fresh and frozen foods and dairy products as defined in Part B of the appendix in Modification of Permits—Packinghouse products, frozen fruit concentrates, frozen fruits and vegetables, frozen fruit juices, and frozen citrus juice, concentrate, meats, meat products, and meat byproducts, as defined, in vehicles equipped for mechanical refrigeration, fresh meats, dressed rabbits, seafoods, clay products, wine, and frozen fruit juices, frozen citrus products, citrus products, not canned or frozen, in vehicles equipped with mechanical refrigeration, from and to specified points in Alabama, Connecticut, Delaware, Florida, Georgia, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia, and the District of Columbia. Frank B. Hand, Jr., 921 17th Street NW., Washington 6, D.C., attorney for applicants.

No. MC-FC 66339. By order of October 31, 1963, the Transfer Board approved the transfer to Alberti Van Lines, Inc., Silver Spring, Md., of Certificate in No. MC 48113, issued September 25, 1958, to Miller North Broad Transit Company, Philadelphia, Pa., authorizing the transportation, over irregular routes, of: Household goods, as defined by the Commission, in radial and nonradial movements, between points in Connecticut, Delaware, Massachusetts, Pennsylvania, Maryland, New Jersey, Virginia, New York, Ohio, Rhode Island, Georgia, Illinois, Indiana, Maine, Michigan, New Hampshire, North Carolina, South Carolina, Tennessee, Kentucky, West Virginia, Vermont, Florida, and the District of Columbia. Paul F. Sullivan, 1903 N Street NW., Washington 36, D.C., attorney for applicants.

No. MC-FC 66372. By order of November 5, 1963, the Transfer Board ap-

proved the transfer to Bernard Hochhauser, doing business as Bernard Trucking Co., Secaucus, N.J., of Certificate in No. MC 13704, issued June 9, 1941, to Frank V. Rue, doing business as Rue's Express & Trucking, Jersey City, N.J., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between points in Hudson, Essex, Passaic, Union, and Bergen Counties, N.J., on the one hand, and, on the other, points in New York and Long Island, N.Y. George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., practitioner for applicants.

No. MC-FC 66373. By order of November 5, 1963, the Transfer Board approved the transfer to Frank Marcello and Paul R. Marcello, a partnership, doing business as Marcello's Service, R.F.D. Quakertown, Pa., of the operating rights issued by the Commission November 15,

1960, under Certificate in No. MC 123090, to Frank Marcello, doing business as Marcello's Service, R.F.D. Quakertown, Pa., authorizing the transportation, over irregular routes of: Men's shirts, in boxes, from Quakertown and Kratzerville, Pa., to New York, N.Y.; empty boxes, processed piece goods, and buttons for men's shirts, from New York, N.Y., to Quakertown and Kratzerville, Pa.; shirts, in boxes, from Elizabethville and Gratz, Pa., to New York, N.Y.; empty boxes, buttons, and processed piece goods, from New York, N.Y., to Elizabethville and Gratz, Pa.; and buttons and processed piece goods for men's shirts, from New York, N.Y., to Berrysburg, Pa.

[SEAL]

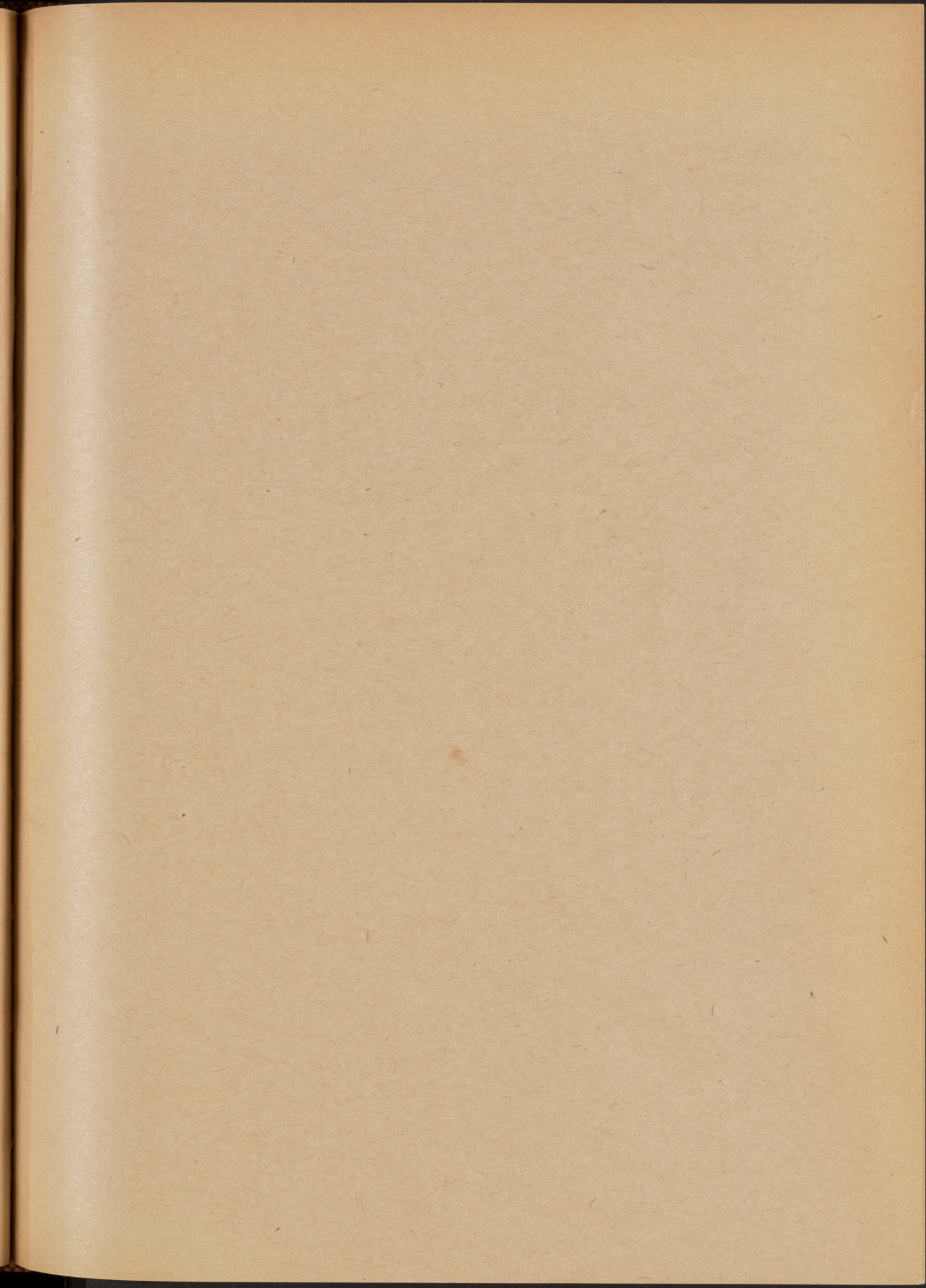
HAROLD D. McCoy,
Secretary.

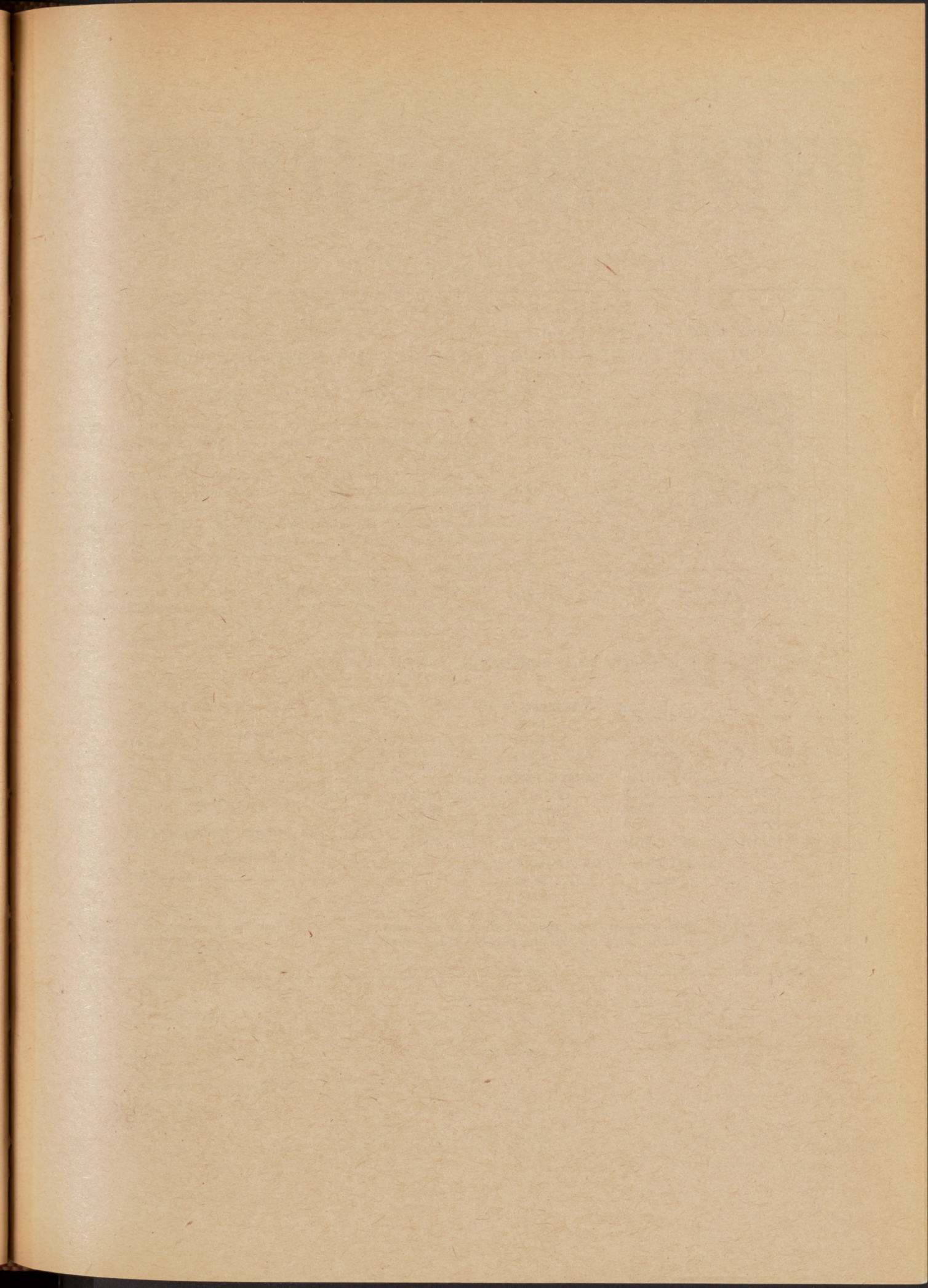
[F.R. Doc. 63-11937, Filed, Nov. 13, 1963;
8:47 a.m.]

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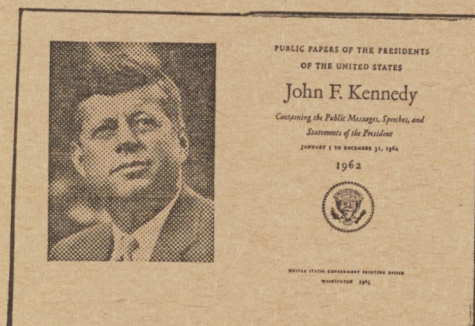
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